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SITTING DAYS—2013

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RADIO BROADCASTS

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FORTY-THIRD PARLIAMENT
FIRST SESSION—NINTH PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia, Commander of the Royal Victorian Order

Senate Office holders
President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Shane Parry
*Temporary Chairs of Committees—Cory Bernardi, Thomas Mark Bishop, Suzanne Kay Boyce, Douglas Niven Cameron, Patricia Margaret Crossin, Sean Edwards, David Julian Fawcett, Mark Lionel Furner, Scott Ludlam, Gavin Mark Marshall, Bridget McKenzie, Claire Mary Moore, Louise Clare Pratt and Ursula Mary Stephens
Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy
Deputy Leader of the Government in the Senate—Senator Hon. Penelope Ying Yen Wong
Leader of the Opposition in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC
Manager of Government Business in the Senate—Senator Hon. Jacinta Mary Ann Collins
Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

Senate Party Leaders and Whips
Leader of the Australian Labor Party—Senator Hon. Stephen Michael Conroy
Deputy Leader of the Australian Labor Party—Senator Hon. Penelope Ying Yen Wong
Leader of the Liberal Party of Australia—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party of Australia—Senator Hon. George Henry Brandis SC
Leader of The Nationals—Senator Barnaby Thomas Gerard Joyce
Deputy Leader of The Nationals—Senator Fiona Nash
Leader of the Australian Greens—Senator Christine Anne Milne
Chief Government Whip—Senator Anne McEwen
Deputy Government Whips—Senators Carol Louise Brown and Helen Beatrice Polley
Chief Opposition Whip—Senator Helen Kroger
Deputy Opposition Whips—Senators David Christopher Bushby and Christopher John Back
The Nationals Whip—Senator John Reginald Williams
Australian Greens Whip—Senator Rachel Mary Siewert

Printed by authority of the Senate
## Members of the Senate

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<th>Senator</th>
<th>State or Territory</th>
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(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice H. Coonan, resigned 22.8.11), pursuant to section 15 of the Constitution.

(3) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice Hon. M. Arbib, resigned 5.3.12), pursuant to section 15 of the Constitution.

(4) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice J. Adams, died in office 31.3.12), pursuant to section 15 of the Constitution.

(5) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. B. Brown, resigned 15.6.12), pursuant to section 15 of the Constitution.

(6) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. N. Sherry, resigned 1.6.12), pursuant to section 15 of the Constitution.

(7) Chosen by the Parliament of South Australia to fill a casual vacancy (vice M. J. Fisher, resigned 15.8.12), pursuant to section 15 of the Constitution.

PARTY ABBREVIATIONS

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
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<tr>
<td>Prime Minister</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister on Digital Productivity</strong></td>
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<tr>
<td><strong>Minister Assisting the Prime Minister on Asian Century Policy</strong></td>
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<tr>
<td>Minister for Social Inclusion</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister on Mental Health Reform</strong></td>
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<tr>
<td>Minister for the Public Service and Integrity</td>
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<tr>
<td>Cabinet Secretary</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister on the Centenary of ANZAC</strong></td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
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<tr>
<td>Treasurer</td>
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<tr>
<td>(Deputy Prime Minister)</td>
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<tr>
<td><strong>Minister for Financial Services and Superannuation</strong></td>
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<tr>
<td>Assistant Treasurer</td>
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<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<tr>
<td><strong>Minister for Finance and Deregulation</strong></td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<td><strong>Special Minister of State</strong></td>
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<td><strong>Minister Assisting for Deregulation</strong></td>
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<td>(Deputy Leader of the House)</td>
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<td>Minister for Veterans' Affairs</td>
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<tr>
<td>Minister for Defence Science and Personnel</td>
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<td>Minister for Defence Materiel</td>
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<tr>
<td>Minister for Infrastructure and Transport</td>
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<tr>
<td>(Leader of the House)</td>
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<tr>
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<td>Minister for Sport</td>
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<td>Minister for Regional Services, Local Communities and Territories</td>
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<td><strong>Minister for Families, Community Services and Indigenous Affairs</strong></td>
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<td><strong>Minister for Housing and Homelessness</strong></td>
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<td>Minister for Community Services</td>
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<td>Minister for the Status of Women</td>
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<tr>
<td><strong>Parliamentary Secretary for Homelessness and Social Housing</strong></td>
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<tr>
<td><strong>Parliamentary Secretary for Disabilities and Carers</strong></td>
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<td><strong>Minister for Foreign Affairs</strong></td>
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<td><strong>Parliamentary Secretary for Trade</strong></td>
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<tr>
<td><strong>Minister for Sustainability, Environment, Water, Population and Communities</strong>&lt;br&gt;(Vice-President of the Executive Council)</td>
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<td><strong>Minister for Employment and Workplace Relations</strong></td>
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<td><strong>Minister for Early Childhood and Childcare</strong></td>
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<td><strong>Minister for Employment Participation</strong></td>
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<td>(Manager of Government Business in the Senate)</td>
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<td><strong>Minister for Home Affairs</strong></td>
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Tuesday, 14 May 2013

The PRESIDENT (Senator the Hon. John Hogg) took the chair at 12:30, read prayers and made an acknowledgement of country.

PARLIAMENTARY REPRESENTATION

Western Australia

The PRESIDENT (12:31): I inform the Senate that I have received a letter from Senator Evans resigning his place as a senator for the state of Western Australia. Pursuant to the provisions of section 21 of the Constitution, I have notified the Governor of Western Australia of the vacancy in the representation of that state caused by the resignation. I table the letter and a copy of my letter to the Governor of Western Australia.

COMMITTEES

Foreign Affairs, Defence and Trade References Committee

Meeting

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (12:32): by leave—At the request of Senator Eggleston, Chair of the Foreign Affairs, Defence and Trade References Committee, I move:

That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 3.30 pm, in relation to its inquiry on the aid to Afghanistan.

Question agreed to.

Foreign Affairs, Defence and Trade Joint Committee

Meeting

Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (12:32): by leave—At the request of Senator Furner, Chair of the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I move:

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate today, from 1 pm, to take evidence for the committee's inquiry into slavery, slavery like conditions and people trafficking.

Question agreed to.

BUSINESS

Rearrangement

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (12:33): I move:

That intervening business be postponed till after consideration of government business order of the day no. 12 (National apology for forced adoption).

Question agreed to.

MOTIONS

National Apology for Forced Adoptions

Debate resumed on the motion:

That the Senate support the apology given on this day by the Prime Minister, on behalf of the nation, to people affected by forced adoption and removal policies and practices in the following terms:

Today, this Parliament, on behalf of the Australian people, takes responsibility and apologises for the policies and practices that forced the separation of mothers from their babies, which created a lifelong legacy of pain and suffering.

We acknowledge the profound effects of these policies and practices on fathers.

And we recognise the hurt these actions caused to brothers and sisters, grandparents, partners and extended family members.

We deplore the shameful practices that denied you, the mothers, your fundamental rights and responsibilities to love and care for your children.
You were not legally or socially acknowledged as their mothers. And you were yourselves deprived of care and support.

To you, the mothers who were betrayed by a system that gave you no choice and subjected you to manipulation, mistreatment and malpractice, we apologise.

We say sorry to you, the mothers who were denied knowledge of your rights, which meant you could not provide informed consent. You were given false assurances. You were forced to endure the coercion and brutality of practices that were unethical, dishonest and in many cases illegal.

We know you have suffered enduring effects from these practices forced upon you by others. For the loss, the grief, the disempowerment, the stigmatisation and the guilt, we say sorry.

To each of you who were adopted or removed, who were led to believe your mother had rejected you and who were denied the opportunity to grow up with your family and community of origin and to connect with your culture, we say sorry.

We apologise to the sons and daughters who grew up not knowing how much you were wanted and loved.

We acknowledge that many of you still experience a constant struggle with identity, uncertainty and loss, and feel a persistent tension between loyalty to one family and yearning for another.

To you, the fathers, who were excluded from the lives of your children and deprived of the dignity of recognition on your children's birth records, we say sorry. We acknowledge your loss and grief.

We recognise that the consequences of forced adoption practices continue to resonate through many, many lives. To you, the siblings, grandparents, partners and other family members who have shared in the pain and suffering of your loved ones or who were unable to share their lives, we say sorry.

Many are still grieving. Some families will be lost to one another forever. To those of you who face the difficulties of reconnecting with family and establishing on-going relationships, we say sorry.

We offer this apology in the hope that it will assist your healing and in order to shine a light on a dark period of our nation's history.

To those who have fought for the truth to be heard, we hear you now. We acknowledge that many of you have suffered in silence for far too long.

We are saddened that many others are no longer here to share this moment. In particular, we remember those affected by these practices who took their own lives. Our profound sympathies go to their families.

To redress the shameful mistakes of the past, we are committed to ensuring that all those affected get the help they need, including access to specialist counselling services and support, the ability to find the truth in freely available records and assistance in reconnecting with lost family.

We resolve, as a nation, to do all in our power to make sure these practices are never repeated. In facing future challenges, we will remember the lessons of family separation. Our focus will be on protecting the fundamental rights of children and on the importance of the child's right to know and be cared for by his or her parents.

With profound sadness and remorse, we offer you all our unreserved apology.

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:33): I rise today to offer my profound and wholehearted support for this apology to everyone who experienced or was affected in any way by the practice of forced adoption in Australia. That includes, of course, the mothers and fathers, the families who were affected, the children and the siblings. It was a terrible period in Australian history when people who so badly wanted their child and wanted to keep their child were subjected to practices that led to them being forced to give up their children.

It is rare in parliamentary life that you can be part of an occasion which is not only dignified but profoundly important and a day that is shared by everyone across the whole political spectrum. I thought the day that we
were all in the Great Hall with so many people gathered from around Australia to hear the apology being offered by the Prime Minister and on behalf of the parliament was an incredibly special occasion to be part of. I was reminded that in my own political career there have only been two other occasions when I could say the same thing. One was in Tasmania when the Tasmanian parliament gave an apology to the stolen generations, and there was the same at the federal parliament when Prime Minister Rudd was in power—and then there was this apology to people affected by forced adoption.

I am really disappointed that the day was marred by the politics of the hour, when this was such an occasion for so many people and meant so much to families and to people who had suffered for generations. I just want to say to everybody who came that, as hard as it might be to put aside the politics of the day, the parliament genuinely did come together to apologise and does stand together in apology, and we do stand together to say that not only do we offer this apology but we are all behind the measures that have been taken to assist people who have been affected and who, to this day, are struggling to come to terms with the impacts of what occurred then.

I also wanted to stand today and thank my colleague Senator Rachel Siewert for the incredible commitment she demonstrated in bringing this issue to the parliament, in pursuing it in the Senate on several occasions, in securing the inquiry and in the work that she and her fellow senators on the inquiry put into what was really comprehensive listening across Australia, as people came forward to tell their stories. I also congratulate the people who did have the courage to come forward and speak, because it was not an easy thing to do. It was incredibly brave for people to be able, sometimes for the first time in decades, to talk about the awful experience that they had not only had but had had to live with ever since.

As someone who was growing up in the late fifties and sixties in Australia, I am very, very well aware of the level of pressure that was put on young women who became pregnant, of the shame that was transferred to them and of the sense of their being made to feel as if they were in some way to be punished for the fact that they were pregnant and unmarried. They were made to feel as if it were in the best interests of the baby to be taken away when that baby was so wanted by their young mother. I grew up in that era of shame being transferred and of fear of retribution in the community. Young women went away, no questions asked, and when they came back they were told never to mention it again. People chose not to speak about it again. It was like a shameful episode in someone’s life. That has carried on through the generations in many families.

I think it is so good that at last this period has had a light shone upon it and that people have been given an opportunity to talk about just how it has impacted their lives. It is fantastic that they have been able to say to the children who they were forced to give away that they never wanted to give them away, that they loved them throughout, that they loved them from the day they were born and they loved them throughout their lives. That is such an important thing, because so many adoptees were told that their mothers had not wanted them, so these young people were growing up with this idea that they were given away. This is an opportunity for mothers to say, 'I always wanted you,' and that makes so much difference in the way that people will be able to at least try to come to terms with and deal with the experience.
I want to congratulate everyone concerned. As I said, it is not often in a parliamentary career that you can stand up and feel really proud of the efforts of your colleagues in addressing an issue that needed to be addressed, an issue that was a longstanding wound in the soul of the nation. It is particularly good as a female member of parliament to feel that, of those issues which have been long ignored, this one has now been brought forward and given the kind of consideration and serious thought and compassion that led to such a day as we had in the Great Hall, where we all felt that, at last, justice was being done and being seen to be done, with the opportunity to move forward for all of those people directly and indirectly affected. In fact, the whole community has been affected, because we have all been impacted by the fact that this practice went on around us in our community, and it has taken till now to name it for what it was and to change the practices and offer the support that is necessary for people who have been impacted.

I conclude by saying that the Greens, as a party, one and all, profoundly and wholeheartedly support the apology to people who experienced or were affected by forced adoption.

Question agreed to.

BILLs

Environment Protection and Biodiversity Conservation Amendment Bill 2013

First Reading

Bill received from the House of Representatives.

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (12:42): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (12:43): I table a revised explanatory memorandum relating to the bill and I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT BILL 2013

The government has now introduced amendments that will create a new matter of national environmental significance under national environmental law. This amendment will enable the Commonwealth Environment Minister to take into account significant impacts of coal seam gas and large coal mining development on a water resource.

These amendments are the product of a long period of engagement with the community, as well as with members of this parliament who have been strong in their advocacy of this issue.

The challenge we have had up until now is that people quite reasonably expect the Minister for the Environment and Water to take into account, by law, the impacts of coal seam gas and large coal mining on water resources. They want to know that the Environment Minister is considering:

- if there is an irreversible depletion and contamination of our surface and groundwater resources;
- the impacts on the way critical water systems operate; and
- the related effects on our ecosystems.

But, under our current national environment law, the Commonwealth Environment Minister cannot take these concerns into consideration directly, because the Commonwealth does not directly regulate projects that are likely to have an impact on a water resource—either surface water...
or groundwater. This is because water resources are not currently a matter of national environmental significance.

Under our current laws, the only way the Environment Minister can take these issues into consideration is where there is a connection to an existing matter of national environmental significance.

For example, that connection may be to a threatened species which is legally listed but may be a hundred kilometres away downstream of the project. If there is an impact on that species downstream, only then can the Environment Minister take account the impact the project is having on that water source, to the extent that it affects the listed species.

The Australian government has already taken steps to provide more certainty for regional communities around coal seam gas and large coal mining developments, and the protection of water resources.

Last year we established the independent expert scientific committee under national environment law, to provide independent expert scientific advice to all governments on the water related impacts of coal seam gas and large coal mining.

The independence of the expert committee provides the community with the confidence they need that the scientific work being done has the integrity that people want.

However, when that advice comes back, the Environment Minister can only take that information into account if it is having that flow-on effect to an existing matter of national environmental significance.

Proposed amendments

The amendment does not seek to invoke the Commonwealth in all water decisions. The trigger will not capture small projects such as farm dams. The amendments will create a new matter of national environmental significance for coal seam gas and large coal mining developments which are likely to have a significant impact on a water resource. It will provide the strong legal basis for protection that the community wants.

In addition, the Bill includes an amendment to prevent states and territories from being accredited to make approval decisions in relation to the water trigger.

This is not a broad trigger. The Australian government has already established independent expert scientific committee, which considers coal seam gas and large coalmine developments. This amendment provides the appropriate gateway for federal approval, and should continue to do so.

The amendments also deal with the transition to the new trigger.

There are a number of projects that have already been referred under national environment law which are already undergoing assessment. The government thinks it would be a perverse outcome if every project already in the system was finished without taking account the new matter of national environmental significance.

This is why the amendments provide that, for any project that is already undergoing assessment, the Independent Expert Scientific Committee has not yet given its advice and a proposed decision on the project has not yet been made, the new trigger will apply.

This does not mean that the assessment will need to begin again and completely restart for those projects that are captured.

We know that the sort of information that would be needed to make a decision for the new matter of national environmental significance already gets collected in different ways for state approvals, and for the work of the independent expert scientific committee.

The Commonwealth environment department is contacting proponents to advise them of any additional information requirements which may apply, the same way they frequently seek additional information, so that the full impacts of those projects on water resources can be assessed.

Stakeholder engagement

Since the introduction of the amendments into the House of Representatives, the Australian Government has consulted with industry and community stakeholders.

The government will continue to engage industry and stakeholders in the lead-up to, and following the commencement of, the amendments, should they be passed by the
Parliament. This will include providing guidance on the application of the new environmental law to their projects, such as the likely information requirements.

Conclusion

Up until now Australia's Environment Minister has not been able to take into account this information, which is already being collected. The information is provided and analysed but does not currently form part of the decision-making process. Under the new trigger, it will.

It means that when an approval is given or an approval decision is made, the community expectation that the Environment Minister has taken into account the impacts on water resources will match up with the legal obligations of environment minister.

At the same time, the Australian government is making sure that the administrative processes for the transition are done in a way that delivers better scrutiny and gives better-quality and more thorough decisions, without needlessly adding to time frames. I commend the bill to the Senate.

Senator BIRMINGHAM (South Australia) (12:43): I rise to speak on the Environment Protection and Biodiversity Conservation Amendment Bill 2013, which the government has just rushed into the Senate chamber. It is noteworthy that the Senate committee report on this bill was only concluded and tabled this morning, but this of course is symptomatic of a government whose policy agenda is overwhelmingly driven by politics rather than by sound public policy, and in this case this legislation firmly fits that trend. This legislation has been driven completely by the politics of the government—in particular, the politics of the government's precarious position in the House of Representatives, where they rely very much on the member for New England and other crossbenchers for support.

Just months ago the government rejected proposals similar to those contained in this legislation, which were essentially to establish a water trigger in the EPBC Act—that is, to add a water trigger to the range of triggers on matters of national environmental importance which exist in the Environment Protection and Biodiversity Conservation Act. It is not to be an all-encompassing water trigger, mind you. Instead, and this is an unprecedented step, it is a trigger specific to certain industries—in this case, the coal industry and the coal seam gas industry. The government had previously pilloried the idea that a water trigger needed to be added to the EPBC Act. It was not even a factor in the recommendations of the comprehensive Hawke review of the EPBC Act. Yet, all of a sudden, because Mr Windsor walked into the Prime Minister's office and said, 'I demand this be done,' here we are debating this legislation. It is an appalling way to make public policy. It is an appalling way for the government to change its mind and to change the rules and regulations that industry has to comply with.

We already have in this country very extensive and comprehensive environmental planning laws. They operate at the state and federal levels and they provide for the assessment and recognition of all manner of factors, including the impact on water. It is estimated that, on environmental planning, there are around 1,500 state conditions that must be complied with and 300 or so federal conditions that must be complied with. Within these conditions there is ample scope to address issues of water, and that is exactly what occurs already. This bill will add a new layer of regulation and a new level of duplication by which the federal government will find itself assessing things that state governments are already assessing and industry will have to go through and get approvals from the federal government just as they already have to get approvals from state governments. It will add to the cost and time frame of approvals, it will add to the delays and it will add to the risk that industry
will simply take its bat and ball and invest elsewhere.

I acknowledge and understand that there are significant community concerns, especially in agricultural environments, about coal seam gas and its impact on water and that there are also community concerns about the proximity to urban centres, in some cases, of coal seam gas developments. That is why, on changes to water, the coalition supported the independent expert scientific panel, which was embraced on bipartisan lines with, I acknowledge, Mr Windsor's encouragement as well. Under such changes, hundreds of millions of dollars were to be invested to make sure that all projects were subject to completely rigorous scrutiny and that the advice resulting from the scrutiny would be provided to both state and federal governments. Ministers, in making their assessments, would have to have taken the advice into account—and, lest they ignored the advice of the independent committee, its findings were to be made public. Woe would betide a minister, whether state or federal, who went against the independent scientific advice in making their determinations.

I acknowledge the community concerns. Such concerns were the reason that this parliament acted to set up the committee with its expert assessment process just last year. Yet now we have legislation which goes further than what was done last year without giving a fair go to what was done last year and to see whether it would have addressed the community concerns and whether it would have worked. At the time last year's measures were proposed, Mr Windsor was pushing his proposal for an environmental water trigger to the EPBC Act—and, at that time, the government rejected the idea. The question for the government to answer in this debate is: what has changed in the many times that the government rejected the proposal for it to now see the proposal as urgent? Of course, what has changed is that Mr Windsor no doubt made acceptance of his proposal a condition of his ongoing support for the government.

There is clear evidence that this legislation was arrived at by a very dubious and questionable process. The department confirmed during a Senate inquiry into the legislation that consultation was not undertaken on the detailed text of the bill prior to its introduction and consideration by parliament. Indeed, any consultation on the general principles of this legislation was minimal at best. Even those who support it, such as the Australian Network of Environmental Defenders Offices, have said that the legislation came out of a bad process. We had, as I said before, a very comprehensive review—the Hawke review—of the EPBC Act. It did not recommend the change found in this legislation. It recommended a number of other changes, which the government has thus far ignored. The fact that it ignored them is symptomatic of a government which goes out, seeks advice for which it pays taxpayers' money and then completely ignores the advice that it has been provided with and does the opposite or something else entirely. What is the point of undertaking reviews such as the Hawke review and getting a whole lot of advice and then ignoring it and doing something which was not even proposed by the Hawke review? It is quite remarkable.

Equally, the government in the lofty rhetoric of its earlier days, placed great importance on making sure that it did not impose undue regulation on industry. To make sure that there was not undue regulation on industry, the government would be handing down a regulatory impact statement on all new legislation or regulatory reform which could have an impact. Is there
a regulatory impact statement for this legislation? No, there is not. The government, despite promising to do so and despite saying that it was essential to make sure that it minimised the level of regulation on the Australian economy and that the regulations were effective, has ignored its own processes once again.

As I stated, there are real concerns about how this reform creates a level of duplication with existing state laws. We should never forget in this place—and sadly in this the states' house it seems to be too often forgotten—that the states have a primary role when it comes to regulating land use and that the states have a primary role when it comes to regulating the exploitation of minerals and resources in those lands. That is how our Constitution was set up and that is how this country has effectively worked from the day of Federation: that the states take the lead in those planning roles. We do not have a planning minister at a federal level; states have planning ministers. They make the relevant decisions here. The resources are owned in essence by the people of those states. They are there for their benefit and their benefit to exploit as is appropriate.

Over the years, the Commonwealth has taken sensible steps to make sure that, where there are matters of national environmental importance, the Commonwealth has a say in regulating those. There were some proud reforms of the Howard government in that regard. They were important reforms that gave the Commonwealth a say in this regard, but that does not change the fundamentals that the states have extensive processes in place. The interesting thing that we saw in the Senate inquiry into this legislation was that, as Senator McKenzie in particular highlighted, all the criticisms seemed to be coming from just one state, and there is perhaps a good question to be asked here: whether the laws of that state are working effectively enough or not—whether they have provided sufficient confidence to their communities in their laws. But that does not mean that we should be coming in and imposing a new level of regulation that applies across all states—and applies right across the Commonwealth—and that will affect those states where there seems to be minimal or no community concern just as much as it affects those where there is very strong concern.

As I have also said, the independent expert scientific committee process is still in its relative infancy. This is still a fairly new process. It is a process that we supported. It is a process that we believe can and should provide greater rigour to assessments at a state level as well as a federal level. If there are legitimate concerns about the impact on water resources, it should ensure that state ministers have to take those into account when they are approving these developments. So, the changes to make sure that those with the power are well informed and well educated on these issues have already been made. The information is now being provided and the information is then made available to the public, as I said before. So why on earth is it now necessary, while this new process is still so young, to apply another different process on top of that? The government has given no justification for that, and that, of course, is because it is such a politically driven process.

There are also grave concerns about the fact that this legislation targets specific industries. This is a whole new world of activity for the EPBC Act, which traditionally has said that there are broad matters of national environmental significance that should be considered, regardless of what industry is proposing to undertake a development. If this legislation passes, we are putting in place a new area of assessment, but only as it relates to the coal
industry or the coal seam gas industry, only as it relates to those sectors. Anybody else is still subject to the state laws or to the original areas of the EPBC Act assessment. This targeting of specific industries is again a terribly flawed approach to legislative process in this place. It is a real concern that the government has decided to target these sectors and, beyond the immediacy of those sectors targeted, there are genuine concerns in many places, particularly in the farming sector, that, if one industry group can be targeted with specific environmental laws, what is to say that other industry groups in future cannot be targeted with specific environmental laws? There is genuine concern there about the precedent this bill sets and the distortion in terms of the universality of application of the EPBC Act.

We also heard during the Senate inquiry numerous concerns about the definitions applied to this legislation. The coalition senators have made some requests for the government to think about how it deals with those definitions. First and foremost, there are concerns about whether applications may be required simply to undertake exploration activities—not to undertake production, not to undertake the types of activities that could be highly disruptive to communities or to water resources but simply to undertake exploration activities. As many sectors of industry said during this inquiry, if they cannot do the exploration in the first place, they cannot undertake the thorough assessment to see what the environmental impacts will be. They need to be able to drill test sites in the first place so that they have a comprehensive understanding of the geography and geology of the circumstances they are working in. That is why the government should look very closely at how it defines what activities are captured by this bill. It should be excluding those that relate to exploration activities, and I urge the government to consider doing so. Equally, there were concerns expressed about the breadth of the definition that may apply to a water resource. The New South Wales Irrigators’ Council, for example, argued that they believed that it could apply to all water resources. The Minerals Council asked the question: are we talking dry creek beds? Are we talking dams? Are we talking tailing dams? Are we talking water, coal seam gas? What are we talking—surface, groundwater, the lot? What is a large coalmine? What and where do mining related activities fit in the equation?

These questions seem to be left unanswered by this bill. The government should answer these questions clearly and should, ideally, amend its legislation to ensure it clarifies these concerns.

There are also concerns about the retrospectivity aspect of this legislation. This legislation would mean that, even if you are already undergoing an assessment process—even if you are already part of the way through your assessment—you are going to have to meet a new standard. You have already invested your money and you have already started to go through the very expensive and time-consuming process of getting your environmental approvals, but now, halfway through, the rules are going to be changed on you. That is not good enough. If this bill has to pass, it should only apply to new applications and not to those where the process is already underway.

Most remarkable is that during the debate on this legislation in the House of Representatives the government once again completely contradicted their own previous position by adopting at the last minute—while they were yet again in a complete state of turmoil over their leadership—amendments moved by Mr Tony Windsor. Those amendments serve to prevent bilateral
approvals processes in this area. The government have previously rightly rejected pushes by the Greens to rule out bilateral approvals processes—processes where the states can be authorised to make approvals on behalf of the Commonwealth, subject to certain criteria. The government have previously ruled out Greens attempts to universally ban bilateral approvals, but they yielded to Mr Windsor's request. Yet again there was no consideration of the impact. They just said, 'For these specific types of activities, we will exclude bilateral approvals.' That flies in the face of what Prime Minister Gillard said in April last year, although we know—particularly on this day, budget day—that we cannot believe anything which was said 12 months ago. But last April she said:

... what we want to work towards here is a streamlined system, so that projects don’t go through two layers of assessment for no real gain. She was arguing for increased use of bilaterals at that stage. By December, she had changed her mind and had ditched that proposal. Now the government are proposing to outlaw bilaterals in certain circumstances. Talk about a complete about-face! Now they do not even want the legislation to include provision for bilaterals to possibly exist. The coalition will move an amendment to remove the change to the bill inserted by the House of Representatives. I urge the government, in the cold light of day, after having had a couple of months to think about it, to support the coalition's change in that regard. I also urge them to ensure that there is at least some level of consistency of application across the EPBC Act, rather than a complete hotchpotch.

We have many concerns about this legislation. As I said, though, we understand the concerns of the community as well. We hear those concerns and we are not, by opposing this legislation, going to allow the government to politicise this issue. We will work to fix these issues should we succeed later this year. We want to work to ensure that we get community confidence for this important industry, because it is an important industry. It is generating billions of export dollars and thousands of new jobs and is very important to the economic wellbeing of all states of Australia—to securing, in particular, our future gas supplies. (Time expired)

Senator WATERS (Queensland) (13:03): In my opinion, it is well beyond time for us to have a full discussion in this chamber of coal seam gas and coalmines, particularly their effect on our precious and limited water resources—the subject of the Environment Conservation and Biodiversity Conservation Amendment Bill 2013, which is before us today. The Greens support this bill. In fact, we brought a bill quite similar to this one into this place about 18 months ago. We did so off the back of huge scientific concern about the potential for long-term damage to our water resources and off the back of increasing community concern—concern which has only intensified in the intervening 18 months. So I am pleased the government has now reconsidered its former position and has agreed that it is, in fact, incumbent upon the federal government to act in the national interest to protect our precious groundwater and surface water resources from the possibility of massive damage being done to them by coal seam gas and coalmines.

There have been a lot of remarks made by the coalition. Indeed, they have had several positions on this issue; it is difficult to keep up with them. But Senator Birmingham has put on record that they will be supporting this bill. I appreciate that support and I think members of the community will be greatly relieved to feel they are finally being listened to by this parliament. Some of the farming families who have had a strong attachment to
their land for generations, and who have a huge dependence on groundwater, have expressed genuine, heartfelt concern for many years. Until now, they have felt abandoned by the other political parties. I think it will be a really lovely day for those folk—knowing that their parliament is finally taking an interest in conserving that precious water resource and protecting it from damage.

I want to put on record, though, that this bill is not a panacea. This bill will simply allow the federal environment minister to consider the impact on water of coal seam gas and coalmining. Whether or not he or she—depending on who the minister is—then decides to act upon those concerns is an entirely different kettle of fish. Today's bill will put in place the process for making a good decision, but it remains a matter of ministerial discretion whether those scientific and community concerns are properly acted upon and whether or not our water resources will actually be protected. I would therefore urge the current Minister for Sustainability, Environment, Water, Population and Communities and whoever the next environment minister is—of whichever colour—to take the advice of the independent expert scientific committee, the advice this bill will now enable the minister to consider. I thought it a little farcical to set up a federal committee and then preclude the minister from listening to it. That seemed a bit ridiculous to me, so I am glad we are correcting that anomaly today.

The need for federal intervention is abundantly clear. We have heard evidence about this from all around the nation and not just one state, as Senator Birmingham seemed to contend. I do not think he attended all the hearings, so perhaps he missed the bits explaining, for example, the real problems in Queensland with coal seam gas. I am disappointed to report that the concern about the potential impact for damage is not confined to New South Wales. We heard from folk at a number of Senate committee hearings about their huge concern.

Anyone watching the *Four Corners* report of a month or so ago could see that the state processes are not properly dealing with the risks of coal seam gas and coal to our groundwater resources. Can I put on record my admiration for the courage of that wonderful whistleblower, Simone Marsh. I understand she has been on leave without pay because of the stress and anguish she has suffered after blowing the whistle on poor practices, and our heartfelt thanks go out to her. She revealed that after a fairly protracted environmental impact statement process done by the company, as is proper, she was then heaved by senior bureaucrats to issue approvals in sometimes as little as half a day. She was informed by folks in the department she was working for that there would not be government consideration of the water impacts of two of the big coal seam gas projects, QGC and Santos, in the Coordinator-General's report—effectively the summary report upon which the final decision is then made. That makes an absolute mockery of the process and it clearly shows up the highly political nature of these decisions.

Unfortunately we have seen that reflected at the federal level too. Previously the Labor government was not so keen on this idea; in fact, I think I was even laughed at when I first brought legislation to parliament a year and a half ago. Earlier this year Minister Burke ticked off on the big coal seam gas project in Gloucester, ticked off on the coalmine in Maules Creek, ticked off on the coalmine in Boggabri and about a week after that ticked off on the coalmine in Taranganba. About two days after that he suddenly discovered that water was a problem and, gee, he would like to listen to
scientific and community concern. That is great, but unfortunately he had just ticked off on some of the largest projects in New South Wales, and the massive projects in Queensland had already been approved—barring the final project, Arrow, which we hope will never see the light of day.

We do welcome this belated action to protect our water but we are conscious that it comes after many concerning approvals have already been issued—and those approvals have been issued despite the scientific evidence warning of irreversible damage to the groundwater table and warning that we do not even understand the scope of the potential for damage; we do not even know enough about the interactions between coal seams, aquifers and the pressure system to know how much damage this industry could be doing. The sheer abandonment of the precautionary principle, the lack of concern for those long-term impacts and this overriding drive for short-term profit to the possible detriment in the long-term of our farming communities and of our very water resources make me crestfallen. It is part of the reason why the community is so disappointed with both sides of politics. Be that as it may, as I have said, the Four Corners program sadly highlighted the flaws in the state process, particularly in Queensland—all the more reason for the federal government to do more and to step in and protect this national resource, our water.

We also heard some very telling evidence in the hearings into this bill in New South Wales about the new you-beaut revised coal seam gas rules which were meant to solve everything. Unfortunately, according to the community and the experts in that state, they have not solved the problem. The example was given that, in dry times, cease-to-pump-water notices can be issued that irrigators and farmers have to comply with but that coal seam gas companies and big mining companies can seek a compliance exemption from. Once again you have two sets of rules—one rule for farming folk and for the average person in the street and a special rule for the fossil fuel companies. This is exactly the sort of behaviour that is yet more proof that the states are not up to the job of properly protecting water and properly acting to regulate this potentially very damaging industry. So, I am relieved that the federal government is finally deciding to list the impact of these industries on water as a matter of national environmental significance. It is long overdue.

Senator Birmingham referred to a poor process in the formulation of this bill. Perhaps he has not been paying attention, but this issue has been bubbling and has been a matter of community and scientific concern for many years. It is belated action that we are seeing from the government; it is not hasty action—far from it. They are finally catching up with community sentiment, and we welcome that. On the point of process, we saw the big mining companies chuck a bit of a hissy fit—they were annoyed that they had not been able to write their own rules, like they normally do, so they pulled out of the Senate inquiry hearings about 24 hours before they were due to proceed. The irony of complaining about not being consulted and then voluntarily withdrawing from a process where they could have shared their views was clearly lost on them. Thankfully it was not lost on other participants in the inquiry.

I want to put on record how the Greens will seek to improve this bill. The bill is a good start and it does bear a very close resemblance to legislation we introduced 18 months ago which, sadly, did not receive support at that time. There are some key areas where we can do better. Given that the debate has moved on and given the acceptance now of the need to act on this
issue, I urge senators from both sides of politics to properly consider these amendments and see if they can support them. The first amendment would be particularly attractive to the opposition, given their on-again off-again, on-again off-again, on-again as of last weekend position about protecting landholder rights. Mr Tony Abbott has had a vexed position on this. He seems to be changing his mind quite frequently, but his most recent statement is that actually he does think that landholders should not have their livelihoods disrupted by big coal seam gas companies and big coalmines, and they should be able to say no. We agree, which is why we proposed legislation to allow farmers the right to say no when Tony Abbott first made those remarks. Unfortunately, he has now resiled a little from that and said that, even though he thinks that—it is his personal view—'It's up to the states.' It is out of his hands; he cannot do anything to fix that!

In good news, I have an amendment that would enable him to fix that issue and would enable this parliament to allow the farmers the right to say, 'I don't want to take the risk with my land that has been in my family for generations that the water resources will dry up and my kids won't have anything to farm with. I don't want to take that risk.' It is a very simple amendment. It is clearly constitutional, using the corporations head of power—no need for excuses on that basis. If we get to move those amendments today, or whenever this bill comes back on if we do not get to it today, we will see just what the coalition really think about landholder rights, particularly whether the folk from the Nationals are willing to put their money where their mouth is and act in the interests of those farming communities. I look forward to the opportunity to give a voice to those farmers who feel that they have not had their rights respected—indeed, because they have no rights in this issue. Let us try to give them some.

The second amendment that I will be moving to strengthen this EPBC Act goes to the very projects I mentioned before and that the environment minister, Mr Tony Burke, ticked off on just before announcing this bill. The reason we would like this new bill to apply to those projects is that they have only just been ticked off; they have not commenced work. Clearly, the government had an inkling that this was what they were going to do: within days of those approvals, this bill was announced. Let us make sure that communities in that region, the Namoi region, can actually get the benefit of this protection for their water resources. The amendment goes further, saying, given that we still have some projects in Queensland that have not yet been approved, thank goodness—namely, the Arrow coal seam gas project—let us make those existing three coal seam gas proponents, QGC, Santos and AGL, do those water studies, because they got off scot-free last time. Look at the process that was exposed on Four Corners; the government did not even properly scrutinise water impacts. Let us make them do those studies and put that information on the table so that the federal minister can be properly armed with that information when making future decisions. There is no interruption of their approval processes, no acquisition of rights, no change to their legal status but simply an obligation to now supply that information—to turn their minds to those water impacts and inform our decision-makers of the consequences of future decisions on other projects. So that is a very important amendment that will overcome, I think, the cynicism of the minister's announcement and the timing of the announcement of this bill.

The third of my four amendments goes to the scope of this bill, to the fact that it is not
just coal seam gas that is threatening our groundwater and our surface water on the east coast but also shale gas and tight gas, which we have across this country. It seems strange to me that we are contemplating creating two tiers of rights, where east coast folk, where there is coal seam gas, could have their water protected by the minister if he or she makes the right decision, based on the evidence, but folk in the south, west and north would not have that same level of protection from shale gas mining extraction, which uses similar extraction processes and has similar potential impacts on water. Let us make sure that we are not creating a two-tiered system of rights here, and let us make sure that all of those unconventional gas resources can be treated the same and can be scrutinised for their potential to damage our water resources. So I look forward to moving that very sensible amendment to put all unconventional gas resources on a level playing field.

The final amendment I will be moving relates to the amendment to this bill that was made in the House. I am really pleased that Mr Tony Windsor moved the amendment that he did, after many discussions with many folk, including community groups, to make sure that this new power to protect water not be simply given back to the very state governments who, frankly, stuffed it up in the first place. It is a crucial amendment to the environment laws because there is that little section in the act where it says you can hand off your federal approval powers to the states, write yourself completely out of the picture, but the amendment means you cannot do that for water. I think that is really important. But, again, we are creating two classes here. We have a special rule for water, where those powers need to stay where they belong—in federal hands. But all of those other matters of national environmental significance, which are, as the name suggests, nationally significant—and sometimes internationally significant in the case of World Heritage, such as migratory birds, wetlands and threatened species—can be given away to state premiers.

We have seen the environmental legacy of state premiers. The whole genesis of federal involvement in the environmental arena came from the Franklin Dam, as we all know, when Bob Hawke stepped in and said to the states: 'No, it is too important. You cannot simply trash the Franklin River. We're going to take it all the way to the High Court using our constitutional means of doing so,' using the foreign affairs power, 'and protect this river in the national interest.' It would be a great shame if a Labor government, 30 years on, undid that very important reform, which was really the springboard for all of our federal environmental regulation over the last 30 years.

So we have 30 years of environment protection at stake, and the amendment I will be moving is to delete that section, section 46, where it simply says, inoffensively, that you can accredit the states to make your approval decision for you. The effect of that will be that the federal government will always have to tick off on a damaging development in a World Heritage area. It will always have the power to veto anything that is going to have a significant impact on something that is so nationally significant that the government has seen fit to protect it. I think those powers to act in the national interest should stay in national hands. We do not expect the states to act in the national interest; it is not their job. They will always act in their own interest, and that is what they are meant to do. So let us make sure that this national government can act in the interests of all Australians and protect those places that are too precious to lose and those species that are unique to Australia and make
them so special to Australia that they are part of our very identity.

This is a really important amendment because we know that the coalition have said on many occasions that they will use that ability. They will give away to state premiers the approval powers that sit now with the federal government. The thought of Premier Campbell Newman in Queensland having even more power to wind back even more laws than he already has—we are up to about 12 environmental protections that he has wound back—and the thought of him having the sole say over our nationally significant environmental icons sends shivers down my spine, and I hope it sends shivers down the spines of at least half of this chamber.

We will let you guys off the hook, given that it is your side that is running the states in the main. As a question of process, no matter what colour you are from, we need to make sure that we do not simply have one level of government in sole control. We need the national government to act in the national interest. That is why it is crucial that in the last few weeks of our sittings this Labor government takes the chance to protect its own legacy—the original intervention of Bob Hawke—which has led to the Commonwealth being able to step up and protect the environment. Let us make sure that those powers can be maintained.

I congratulate the government and I certainly congratulate Mr Tony Windsor on bringing this bill forward; it is long overdue. It will provide the framework to protect water from coal seam gas and coalmines. It will still be up to the minister's discretion whether that eventuates. I urge the minister to listen to the science, the advice of that independent scientific committee, the advice of CSIRO and the advice of the National Water Commission, to take proper decisions and to act employing that precautionary principle that he or she is meant to employ when making those decisions. We do not know if coal seam gas is safe. All indications are that it is going to do immeasurable damage to our aquifers. We know that it leaks like a sieve, so it is no better than coal when it comes to climate impacts. We know that, if Australia is going to continue to be a net food exporter in the coming age of food insecurity, we will need to safeguard the precious farmland that is so unique to us. So I commend this bill and the amendments to the Senate. (Time expired)

Senator SINGH (Tasmania) (13:23): I rise to speak on the Environment Protection and Biodiversity Conservation Amendment Bill 2013 and commend it to the Senate, particularly in relation to coal seam gas mining and water resources. The Environment Protection and Biodiversity Conservation Act, typically known as the EPBC, is Australia's principal national mechanism for environmental protection. Many of Australia's international environmental obligations are discharged very much through the EPBC. These include responsibilities derived from our participation in international agreements and through our custodianship of shared resources. They involve caring for World Heritage sites, looking after wetlands and habitats for migratory birds, ensuring the survival of threatened plant and animal species and regulating nuclear actions, including uranium mining. The EPBC also includes some matters of national significance, such as places of national heritage and the declaration of Commonwealth marine areas, which have expanded substantially under the leadership of the Prime Minister and the Minister for Sustainability, Environment, Water, Population and Communities.

The listing of matters in the EPBC is indicative of matters that are of concern to all Australians—not just to local, state and
territory communities but to all Australians. So the inclusion of threatened species in the EPBC reflects the fact that biodiversity, particularly iconic species like the Tasmanian devil and the Wollemi pine, is important to all Australians. Similarly, we take pride as a nation in our heritage and in our special places such as the ancient Gondwana rainforests or the Great Barrier Reef. Australians, too, believe in the close and careful regulation of uranium mining and the handling of nuclear material—an issue that has motivated and continues to motivate people across our nation.

The EPBC provides a trigger for projects to be assessed by the federal government. Many major developments fall under the EPBC by virtue of their direct and indirect impact on one of the matters listed in part 3 of the act, such as the effect of development on surrounding habitats in which threatened species may live. However, developments that do not have a demonstrative impact on any of the currently listed projects cannot be assessed by the federal government's environmental authority. The legislative scope of the EPBC does not necessarily grant the minister for the environment discretion to assess any or all developments that may have a substantial impact on the environment or on a matter of national significance that may have emerged. Indeed, when the minister for the environment introduced this bill in the other place, he noted that most Australians would reasonably expect the minister for the environment to take into account, by law, the matters included in this bill.

There is no doubt that when we learn more about the environmental impact of the different processes and operations we should ensure that our legislation reflects new science and our new environmental conscience. We must also ensure that our legislation measures up to the expectations of the Australian people. That is why this bill introduces a new category of matters to the EPBC. The Environment Protection and Biodiversity Conservation Amendment Bill 2013 adds the protection of water resources from coal seam gas development and large-scale coalmining development to the ambit of the EPBC. As it stands, there is no direct protection under national environmental law for groundwater and table resources that keep our land and waterways healthy and our arable lands balanced. Water resources are drawn on extensively by flora and fauna as well as by humans for consumption and agricultural use. As we have seen in other areas of environmental policy, such as in the debate on the Murray-Darling River Basin, the availability, use and health of our water table and waterways resonate right across our country. This is linked to the wellbeing of country communities, which are part of our national story and part of our national food security network.

While the science on coal seam gas extraction is still emerging, there is no doubt that coal seam gas exploration and extraction should be carefully monitored. The Senate Environment and Communications Legislation Committee's recent inquiry into this bill received a raft of submissions from a diverse range of people and organisations on a diverse range of concerns. I will take a moment to highlight why the work of the Senate committee process is so important: it allows that deeper scrutiny of the legislation and it allows those peak organisations and individuals—anyone in the community—to come forward with their concerns, their science and their information as to why they believe the bill should or should not pass this Senate. I have to say that, during this process, I realised that perhaps coal seam gas was not something about which I had a great amount of knowledge. But being part of that committee process allowed me to have a much deeper understanding of why this bill
is so important, why the amendments are so important to add water resources to the EPBC when we are talking about coal seam gas and large coalmining developments.

Among the number of concerns that were raised by submitters to that inquiry process was the uncertainty and ambiguity around current science. There were a range of concerns. In 2012 the parliament passed the Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development) Bill to create a reference panel to provide that expertise to assessment processes and to address some of those concerns. However, the persistent perception of any stakeholder is that some regulatory authorities in states—particularly New South Wales and Queensland, where coal seam gas exploration is most common—have relegated good environmental outcomes and processes to a secondary role in favour of development. That is a very self-interested approach they have taken to address their legislative roles in their own states. I am particularly talking about Premier Barry O’Farrell and Premier Campbell Newman, who are happy to ignore genuine environmental concerns for a quick buck. As the Nature Conservation Council of New South Wales submitted:

... it is important to recognise that the states do not necessarily have the national interest at heart when they are assessing these types of proposals. States can often directly benefit from projects that they are assessing, whether it is through royalties on mining and gas resources or through direct income to state-owned agencies that are carrying out projects within their own state.

That is exactly why the member for New England's amendment is so important. It is because of that self-interested attitude of some state governments when it comes to developmental proposals around this issue of coal seam gas in return for dollars in their coffers and poor environmental outcomes. That is why the EPBC is so important and that is why the addition of water resources to it is so important. It is also why, on top of that, the amendment provided by the member for New England is so important.

Further, the Australian Network of Environmental Defender's Offices, ANEDO, also made a number of representations to the Senate Environment and Communications Legislation Committee, including the recommendation of a broad water trigger in the EPBC to cover other forms of mining. It submitted that:

... drawing on our extensive experience as environmental lawyers, we developed 10 best practice standards for planning and environmental regulation in response to COAG proposal to streamline environmental assessment. We then evaluated relevant laws in each State and Territory against these standards. Based on our analysis, no State or Territory currently has a regulatory regime that reflects ANEDO's 'best practice metric'.

The committee was sympathetic to these concerns, as it was to the significant level of community concern around coal seam gas proposals.

In addition to the environmental and agricultural concerns, there was a uniform concern about the general regulatory approach and the inability of farmers to prevent broad-scale development activity on their own properties. Farmers on their own properties are unable to prevent such broad-scale development. On that basis, I take the point made by Senator Birmingham, who tried to suggest that the opposition has interest and concern when it comes to the environment and, presumably, farmers—those living and working in the agricultural areas of our nation. Yet he then rebutted such a claim by not showing any kind of support for the addition of the water trigger to the
act. He did not give any alternative though as to what his solution would be for farmers who have no opportunity to prevent broad-scale development on their own properties. Would Senator Birmingham like the addition of water to all developments? I did not hear him saying that. I would not think he would be referring to that. He did talk about the lack of uniformity of water and that it does not apply to all developments through this amendment, but it is actually focused on coal seam gas developments and large-scale developments of the coalmining industry. He did not provide any alternative and yet at the same time he wanted to appear to be all concerned for and interested in those poor farmers who are affected. All of that, to me, is just gobbledygook and does not make any sense. It does not do anything, as opposed to the bill that is before us today that does something for those farmers. It goes to the heart of the Australian community's concern when it comes to our water resources that are affected by coal seam gas developments and large-scale coalmining developments. Through its process, the Senate committee found that:

… the rapid and extensive development of coal mining and CSG mining in particular and the great community concern that these activities have raised require that concerns about these activities should now be addressed.

That is exactly what we are doing here today. Indeed, it is important to recognise that the investigation into coal seam gas is substantially a story of powerful interests at a state level avoiding the proper scrutiny that the federal government is able to provide as a result of its expertise and distance from that specific development. That is why the committee and the government are supporting this bill to bring coal seam gas and other coalmining projects under the appropriate environmental scrutiny. The federal government very much has an important role here to act in the national interest. That is why the amendment to this bill is so very important.

In closing, I would like to recognise the efforts of a number of my parliamentary colleagues: those Senate committee members who were part of the inquiry into this bill, those colleagues who were part of the development of this bill in this place and in the other place—particularly Mr Windsor's amendment to ensure that proper assessments of coal seam gas are not overridden by bilateral agreements—and also Senator Waters, who previously presented a bill to the Senate attempting to address some of these concerns. Also, I particularly want to recognise the Minister for Sustainability, Environment, Water, Population and Communities, who has been a stalwart defender of the environment, due process and science. I commend this bill to the Senate.

Senator IAN MACDONALD (Queensland) (13:38): In commencing my contribution to the Environment Protection and Biodiversity Conservation Amendment Bill, I remind senators of the very proud record the Liberal and National parties have when it comes to environmental and biodiversity conservation. Can I mention a few of those before I get onto the EPBC Act, which is, again, a creation of the Liberal-National party coalition.

Liberal governments prohibited sand mining on Fraser Island. Liberal governments banned whaling in Australian waters. Liberal governments declared the Great Barrier Reef Marine Park. The same governments proclaimed the Kakadu, Uluru, Christmas Island and Coral Sea national and...
maritime parks. Five properties were placed on the World Heritage List under the Fraser government. They included the Great Barrier Reef, Kakadu, Willandra Lakes, Lord Howe Island and South West Tasmania. Liberal-National party governments also passed the Antarctic Treaty (Environment Protection) Act and the Antarctic Marine Living Resources Conservation Act.

Our governments regulated the uranium industry in the Northern Territory and enacted major pieces of legislation to control pollution, especially for the protection of the high seas. Coalition governments legislated for the introduction of things which are now taken for granted such as unleaded petrol as a pollution-control measure. Right throughout the history of coalition governments, programs have been introduced for water protection, soil protection and tree promotion around our country. It was a Liberal government that had Australia's first ever environment minister.

We have a very proud record of practical and sensible work for Australia's environment and biodiversity. It is something that you will never, ever hear uttered from the lips of the Greens political party because they loath with a passion anyone from this side of the chamber—particularly in an environmental sense. If you look back through history, you will see that all of the sensible and practical actions taken in Australia for our environment have been the work of coalition governments. Indeed, it was my friend the then Senator Robert Hill, as Minister for the Environment, who introduced the Environment Protection and Biodiversity Conservation Act. Nowhere did we hear the Greens or the Labor Party calling for this sort of legislation, but it is something that came through—like the green zones on the Great Barrier Reef. These are major, practical enhancements to Australia's environmental protection and management.

We are proud of what we have done, but we have done it in a sensible way and in a way that did not impinge on Australia's economy, increase our costs of living or decrease our attractiveness for investment—the sort of investment that has kept Australia to the forefront of the world. The difficulty with the legislation that has been introduced by coalition governments is that sometimes other governments get to be in charge of them. Once they are in charge, they can make very stupid decisions that really take us no further but make political points and attract preferences from the Greens political party, keeping the current Labor government—and many other Labor governments—in power.

I heard the previous speaker praising Mr Windsor, as well the Labor Party should because, if it were not for Mr Windsor, Australia would have had a decent government, a proactive government and a sound financially managing government three years ago. But Mr Windsor—through his, I might say, crassness—kept Ms Gillard and this dysfunctional Labor government in power long after they should have been thrown onto the scrap heap of political history—as they will no doubt be later this year.

The bill before us is another example of overkill by the Australian Labor Party at the urgings of Mr Windsor, for his own purposes, and the Greens political party. The coalition will not be opposing it, but we do make the point—yet again—that this legislation simply duplicates the powers that the states already have. The Labor government has spoken a lot about this one-stop shop process of environmental regulating, but again—as with everything the Labor government does—it is all just words.
I, like 95 per cent of other Australians, have simply stopped listening to anything this government says.

Today, on what I call 'fantasy Tuesday', when we are preparing for what is very loosely called a budget, again we see that nobody really cares what is going to be said tonight. Nobody cares at all what is said because everybody knows from past performance that, no matter what the Treasurer says tonight, it will not happen. Remember in the last two or three budgets when he promised those surpluses? Do you remember that, Madam Acting Deputy President? His speech last budget night was so exact, so precise, so forceful about the need for a surplus. And not only on budget night, but 500 times since, have the Treasurer and the Prime Minister assured every Australian it was essential for the peace, order and good government of Australia, and for our children and grandchildren, that we must have a surplus. And yet a few weeks ago we eventually heard from the government's own lips what every sane commentator has been saying for 12 months: that there was not going to be a surplus. Of course, the only mystery about tonight's so-called budget is how big the deficit will be. Senator Carr is sitting here. He knows. He has robbed his foreign aid budget to try and reduce the deficit. How could any foreign minister do that! I have not heard the Greens comment too much about that just yet.

**Senator Bob Carr:** The aid budget has been increased by 9.6 per cent!

**Senator IAN MACDONALD:** Oh, I see! So you are just taking it away to spend it onshore in trying to deal with a problem you created, Minister—not you personally but your party—with all those illegal arrivals into Australia. So you shift the foreign aid budget from offshore and bring it onshore and spend it in Australia. And what did I hear this morning? I heard that Australia is the third biggest recipient in the world of its own foreign aid budget. Only a Labor Party could do that! And have we heard a murmur from the Greens about this? We hear about how the Greens all want to increase foreign aid. But when they are mates of the Labor Party, which diverts foreign aid from overseas onto Australian shores to look after that hideous problem that Ms Gillard and her crew have brought upon Australia, do we hear anything but a murmur from the Greens political party?

I expect that tonight in the budget there will be no money allocated for the Great Artesian Basin. Senator Waters has gone on for 20 minutes, just before me, telling us how important the underground aquifers are—in particular, the Great Artesian Basin. When I was conservation minister the Howard government spent some $40 million capping and pipining and protecting the Great Artesian Basin. I suspect that tonight, because the Labor Party has run out of money—and run out of lenders, I suspect—that program will not be renewed again. I hope I am wrong, but I doubt it. Like Senator Carr's foreign aid budget, that will be attacked to try to reduce the extent of the deficit we are facing. And do we hear the Greens political party talk about the Great Artesian Basin? No. But they are pretty big on coal seam gas because they see it as an issue of the day, an issue where they can try to resurrect their dwindling political fortunes. We have all seen how the Greens political party has nosedived in recent elections everywhere. So they look around desperately and say: 'Who can we fool to come onside and support us? Ah, the farmers! Let's pretend we are the farmers' friends.' Well, Senator Waters, if you are the farmers' friends, what are you doing for all those farmers and landholders up in my neck
of the woods in Northern Australia who are in desperate straits because of the live cattle ban that you and your Labor Party mates inflicted on them? That action of the Labor government and the Greens, supported by Mr Windsor, has been the single most destructive action of any government in recent times towards our farming community.

And it is not only the northern beef cattle herd that is suffering, it is not only all of those people up there who are losing their homes, their livelihoods, their kids' schooling and, in many cases, their lives because of this stupid decision; it is now descending further down into our country and impacting on the southern beef cattle industry as well. The drought is exacerbating things but it all started with the Labor government's stupid decision on live cattle exports—that time when we insulted our closest neighbour, the Indonesian people, 240 million of them, by cutting off a substantial amount of their food supply without so much as a phone call; they read about it the next morning, as did the rest of us in Australia. Thank you, Senator Carr; what a magnificent action as a foreign minister trying to protect or build our relationship with our closest neighbour!

Senator Bob Carr: I was not even in the parliament then!

Senator IAN MACDONALD: You were not even in the parliament. Thank you, Senator Carr; by saying so, you indicate that, if you had been in the parliament, perhaps you would not have done anything quite as stupid as that. And that is the point I wanted you to make, because it was perhaps the silliest, the most ridiculous, the most stupid decision that this government has ever made—and supported by the Greens political party. But hang on, it is the Greens political party who are now the farmers' friends!

This bill adds to the legislation a ninth matter of national environmental significance. Under the original legislation, introduced by former Senator Hill, the matters of national environmental significance were world heritage sites; national heritage sites; wetlands of international importance—that is, Ramsar wetlands; nationally threatened species and ecological communities; migratory species; Commonwealth marine areas; and the Great Barrier Reef Marine Park. We are adding to that, now, another matter of national environmental significance: the impacts of coal-seam gas development and large coalmining developments on a water source. Nobody really objects to that—except for the fact that the state parliaments already have that power and have been actively using that power.

What this Labor government initiative does is what Labor governments always do: make more regulation, more red tape and more taxes; increase the cost of living and just make Australia an investment destination that is rapidly dwindling in favour. Whilst the Greens and the Labor Party all like the standard of living that we have in Australia, even they should be able to see that investment in Australia is going elsewhere. It is a bit awful when I have foreign investors telling me that they find Mali a better sovereign risk than the Commonwealth of Australia.

Senator Bob Carr: That is absurd.

Senator IAN MACDONALD: Well, it is absurd, Minister, but that is what people are saying. And, Minister, you, more than others, go up to Korea and Japan; I know you are always floating around Korea and Japan. But you have been told by the Japanese, the Koreans and the Chinese exactly what I have been told.

Senator Bob Carr: Not once.
Senator IAN MACDONALD: You have never been told that once, Minister?

Senator Bob Carr: Not once.

Senator IAN MACDONALD: Not once! You have never been told that they are putting their investments into Africa and South America rather than into Australia? Here is our Foreign Minister—he claims that that has never been told to him once! Well, gee, Minister, you must live and work in a cocoon, because I am a mere backbencher and, when I go to those places, people—and I do not ask them—come up and tell me; they plead with me. But then I suspect that most in Korea, Japan and China can read the opinion polls, as we can here, and I suspect that, Minister, if you are being truthful in saying that no-one has told you that, they clearly have not told you that because they see you as a complete irrelevance for the next three or four months of your term as Foreign Minister.

The idea of regulating the impacts of coal-seam gas developments and large coalmining development on a water source, as I say, is not a bad one, but it is not a new one. I know that, in my state of Queensland—even, I have to concede, under the former Bligh Labor government this issue was being addressed, however poorly. But, since the Campbell Newman government has come into operation, they have been addressing this issue very precisely and exactly, with all of the science behind it and with care and the sort of management that is needed.

Again, we see the hypocrisy of the Greens political party and the Labor Party. You have only to read what Ms Gillard said when this idea was floated a little while ago. She indicated it was completely unnecessary. She goes back, I might say, to repeat—and I never thought I would say this but, by comparison you have got to—what those great Labor governments of Hawke and Keating did when these issues were addressed. They said, 'Let the states do it. Let's not duplicate the regulation. Let's not make Australia the sort of country where everything is regulated twice and even thrice by different governments.'

So the bill, as I say, addresses a sensible issue, but it is an issue that was already very clearly, precisely and exactly addressed by the various state governments around. And now that you have decent state governments across almost the length and breadth of that part of Australia that counts, you will find that this management and protection of our water resources is very well looked after by the states.

I will be voting for this bill—not that I have any reason for thinking that it is necessary. But it is simply another Labor initiative that duplicates and triplicates regulation in this country.

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (13:57): This Environment Protection and Biodiversity Conservation Amendment Bill 2013 is going to be basically waved through. It will be supported. It is interesting that one of its grand architects—because they are concerned about coal and coal-seam gas—that sits behind this is none other than the independent member for New England, Mr Windsor, who sold his place to Werris Creek coal, a subsidiary of Whitehaven, for $4.625 million, which is $2,000 an acre—rather a good price, if you can get it!

In 2010, who was the minister in New South Wales? Let us see if we can remember. That is right! Wasn't it Macdonald? Wasn't Ian Macdonald the minister at that time? What was going on? It was just a very good price—a great price; such a good price that he then went on to spend another $5.9 million buying other places over near Coonamble which are also
under coal licences. What a good trick! That is just a great trick.

No matter where you go with his crowd, you end up back at Macdonald and Obeid—not the good Senator Macdonald, but the other, former minister, Macdonald—because Minister Macdonald was the minister in New South Wales when Mr Windsor sold his place for a very good price; for a very good price. We have to remember that they said, 'We believe that we should have the proper environmental protections.' They set up these traps. The traps do not work. But it is a question we rightly want to ask: how do you manage to sell your place for such a good price? How do you manage to get three times what it is worth? How do you manage to do that? How do you manage to get such a good price for your place? I do not know. Do you know? How do you? I would like to sell my place for three times the price. How do I do it? How do you do it these days? It is such a great trick.

Debate interrupted.

MINISTERIAL ARRANGEMENTS

Senator CONROY (Victoria)—Leader of the Government in the Senate, Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (14:00): Mr President, I table for the information of the Senate a revised ministry list dated 25 March 2013, and I seek leave to have the document incorporated in Hansard.

Leave granted.

The document read as follows—

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<th>Title</th>
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<td>Prime Minister</td>
<td>The Hon Julia Gillard MP</td>
<td>Senator the Hon Stephen Conroy</td>
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<td>Minister Assisting the Prime Minister on Digital Productivity</td>
<td>The Hon Dr Craig Emerson MP</td>
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<td>Minister for Social Inclusion</td>
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<td>The Hon Mark Dreyfus QC MP</td>
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<td>Cabinet Secretary</td>
<td>The Hon Jason Clare MP</td>
<td>Senator the Hon Stephen Conroy</td>
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<td>Minister Assisting the Prime Minister on the Centenary of ANZAC</td>
<td>The Hon Warren Snowdon MP</td>
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<td>The Hon Dr Andrew Leigh MP</td>
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<td>Minister for Financial Services and Superannuation</td>
<td>The Hon Bill Shorten MP</td>
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<td>Assistant Treasurer</td>
<td>The Hon David Bradbury MP</td>
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<td>Parliamentary Secretary to the Treasurer</td>
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<td>Minister for Broadband, Communications and the Digital Economy (Leader of the Government in the Senate)</td>
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<td><strong>Minister for Community Services</strong></td>
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Each box represents a portfolio. Cabinet Ministers are shown in **bold type**. As a general rule, there is one department in each portfolio. However, there is a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
QUESTIONS WITHOUT NOTICE

Carbon Pricing

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:00): My question is to the Minister for Finance and Deregulation, Senator Wong. I refer to the government's decision to link its post-2015 carbon price to the European carbon price and to the minister's repeated defence of that decision in the Senate. Given that the European carbon price currently is less than $4 per tonne, does the minister have any advice that the European price is likely to increase to the $29 a tonne by 2016 that she so consistently, confidently and arrogantly predicted and, if so, what is the basis of that advice?

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:01): I am happy to deal with the aspects of the question which fall within my portfolio, but the senator should recall that I no longer represent on climate change and have not for some time. In terms of the carbon price, the government have made clear already, I think, on the public record that we will update our estimates of that particular price, as with all other parameters, in the usual way in the budget which will be handed down by the Treasurer at 7.30 tonight.

I also remind the senator that, if he is concerned about economic policy, he surely would be concerned about the cost of his own policy, which is some $1,300 for every household in Australia for every year to achieve the same environmental outcome. The ridiculous position that the opposition are in is that they, who are supposedly the free marketeers in this place, support a bureaucratic, taxpayer funded, expensive scheme. We hear this often. We get Senator Macdonald raving about regulation. Have a look at your climate change policy. It is nothing but regulation and expense for Australian families. So the party of free markets, on that side, are supporting a taxpayer funded, inefficient, bureaucratic scheme, and the party on this side, consistent with all sensible economists, have said that pricing carbon and using the market are the most efficient way and lowest cost way for Australia to reduce its emissions.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:03): Mr President, I ask a supplementary question. Does the minister acknowledge that she and the government were repeatedly warned about the dangers of linking Australia's carbon price to the European price? And will she apologise to the Senate and the Australian people for the head-in-the-sand 'we know best' attitude that she and her ministerial colleagues took to those who warned about those dangers?

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:03): I would say that the decision to price carbon, and the view that pricing carbon was the best way to lower Australia's emissions, is something that Mr Howard as Prime Minister agreed with. In fact, this is a latter-day conversion by those opposite, who believe now, apparently, that you do not price things; what you do is that you tax people more, you tax Australian families more, in order to pay polluters in the hope that they might reduce pollution. Like John Howard, like Malcolm Turnbull—

The PRESIDENT: Order! You need to refer to people in the other place by their correct title.

Senator WONG: Sorry. Like Mr Howard and like Mr Turnbull, those on this side believe that pricing carbon is the most appropriate way to lower emissions.
**Senator ABETZ** (Tasmania—Leader of the Opposition in the Senate) (14:04): Mr President, I ask a further supplementary question. How can Australian families and businesses plan for the future with confidence and certainty when the government's revenue estimates are in chaos, when the expenditure side of the budget—for which the minister is responsible—has blown out so badly, when so many promises have been broken, when so many deficits have been delivered and when the price of carbon is to be tied to the prices paid in Europe?

**Senator WONG** (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:05): I will take the accusations about the state of the economy and the state of the budget. I refer those opposite to the comments of former Prime Minister Mr Howard—

**Senator Conroy:** Who?

**Senator WONG:** Mr Howard, who said:

*When the Prime Minister and the Treasurer and others tell you that the Australian economy is doing better than most—they are right ... 'They are right.' That is from Mr Howard. It is not from any Labor person; it is from the conservative Prime Minister that Senator Abetz has said is the greatest Prime Minister ever. So perhaps, Senator Abetz, instead of playing the talking-down-the-economy negative hyperbole we see from those opposite, who do not care if they impact upon confidence, who are happy to be economically reckless, perhaps they should listen to their former leader, who has told it how it is: the economy is doing better than most. (Time expired)*

**Budget**

**Senator BILYK** (Tasmania) (14:06): My question is to the Minister for Foreign Affairs, Senator Bob Carr. Can the minister advise the Senate on changes to the aid budget?

**Senator BOB CARR** (New South Wales—Minister for Foreign Affairs) (14:06): Yesterday, Senator Rhiannon called for Australia's aid budget to be maintained so we can end world poverty. I am pleased to report that the government is going well beyond maintaining the aid budget. Tonight's budget will deliver the largest aid budget in dollar terms that this country has ever seen, increasing it year on year by 9.6 per cent, or $500 million. That is a record aid budget, Australia's largest aid budget in 25 years as a percentage of gross national income, one that will reach 0.37 per cent of GNI, up from 0.35 per cent in the previous year—yes, a budget that increases by 9.6 per cent year on year.

Yesterday Senator Rhiannon claimed that Australia is not keeping pace with other OECD donors, but the average among OECD member countries fell by four per cent last year. Australia is increasing its aid by 9.6 per cent. Simple truth: under this government the aid program has grown, grown in every year it has been in office, grown in an economically sustainable way. In fact, the figures speak for themselves. Here is a graph that demonstrates aid under the coalition and under Labor. Compared to the Liberal record, their overseas aid budget never reached 0.3 per cent of gross national income and was usually under 0.25 per cent. Overseas aid has risen in every year of this government, in total over $2 billion since 2007-08, an increase of over 60 per cent. That is a record that not only members of this government but all Australians can be greatly proud of. (Time expired)

**Senator BILYK** (Tasmania) (14:08): Mr President, I ask a supplementary question. I would like to thank the minister for that explanation and ask: could you also explain...
the use of Australian aid to support asylum seekers in Australia?

Senator BOB CARR (New South Wales—Minister for Foreign Affairs) (14:08): Supporting refugees and potential refugees is a regular part of Australia’s aid effort, whether they are in Australia or elsewhere in the world. In 2013-14 we will report up to $375 million, consistent with OECD reporting code 1820, the costs of basic sustenance for refugees waiting to have their claims heard in Australia, to support people who have come from some of the most dangerous parts of the world—Afghanistan, Iraq, Pakistan, Iran—consistent with the practice of other OECD countries, the ones Senator Rhiannon claims we fail to keep pace with. For example, in 2011 the US reported $836 million for such costs, France $545 million, Sweden $489 million, the Netherlands $481 million and Norway $263 million. (Time expired)

Senator BILYK (Tasmania) (14:09): My second supplementary to the minister: can the minister please advise the Senate what this government will achieve with its record aid budget?

Senator BOB CARR (New South Wales—Minister for Foreign Affairs) (14:10): We should not lose sight that aid is not about nominal targets; it is about outcomes. Australia’s record aid budget will continue to deliver results to help our neighbours achieve the Millennium Development Goals. For example, in Papua New Guinea we will increase the number of births supervised by a trained nurse, midwife or doctor from 40 per cent in 2010 to 44 per cent by 2015, an additional 8,000 supervised deliveries per year. Australia’s aid will enable more children to attend school in Afghanistan. Enrolments are increasing from fewer than one million in 2001, and will reach 10 million in 2013-14, including three million girls. In Fiji, Australia’s assistance in 2013-14 will strengthen infant immunisation and maintain coverage rates above 90 per cent. In Laos we will work in partnership with non-government organisations to help clear unexploded ordnance from at least an additional 500 hectares of land. (Time expired)

Budget

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:11): My question is to the Minister representing the Treasurer, Senator Wong. I refer to the Treasurer’s budget speech last year—page 1, line 1:

The four … surpluses I announce tonight are a powerful endorsement of the … success of our policies.

That is what Mr Swan said. He went on to say:

The deficit years of the global recession are behind us. The surplus years are here.

Does the minister stand by those statements made by the Treasurer last year?

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:11): I am very happy to have a discussion about what is happening in the economy and to respond to Senator Brandis, because I think the thing that he will always fail to understand is this, that responsible governments have to deal with the economic circumstances that they are presented with. He might like to get up and make a joke out of these issues. He might like to pretend the global financial crisis—

Senator Brandis interjecting—

Senator WONG: Mate, there is a reason you are the shadow Attorney-General: they know you don’t know anything about economics. That is why you have got the job
you have got. It is probably why you got the question you just got. But what I would say is this: responsible governments have to deal with the economic—

_Honourable senators interjecting_

**The PRESIDENT:** Wait a minute, Senator Wong. Order on both sides! Senator Wong.

**Senator Wong:** As I was saying, responsible governments have to deal with the economic circumstances as they find them, including when they change, and we have been up-front for some time that, despite the fact this will cause the government some political pain—we understand that—we will not be diverted in the Labor task of putting jobs and growth first, because Labor has always done that and we will not be diverted.

_Honourable senators interjecting_

**The PRESIDENT:** Order! Senator Brandis, when there is silence on both sides I will give you the call.

**Senator Brandis:** Mr President, I rise on a point of order. On the point of direct relevance, I have been very patient with the minister; I have even let go some very hurtful personal remarks. But the question was directed to one proposition: does the government stand by a statement made by the Treasurer last year? I ask you to draw the minister's attention to the question.

**Senator Jacinta Collins:** Mr President, I rise on the point of order: Minister Wong is being directly relevant to the question. She has already highlighted that circumstances have changed—directly relevant to the question. Further than that, interjections from the other side referred to the global financial crisis, and Senator Wong is giving Senator Brandis a lesson on what has happened to the economy since then.

_Opposition senators interjecting_

**The PRESIDENT:** Order! The minister has 46 seconds remaining. I do draw the minister's attention to the question.

**Senator Wong:** If Senator Brandis had listened to the Treasurer's press conference last year, he would know that we made clear that the hit on revenues—

_Senator Brandis interjecting_

_Senator Ian Macdonald interjecting_

**The PRESIDENT:** Order! The minister has the call.

**Senator Wong:** The Treasurer has been up-front about the fact that there has been a very massive hit to revenues and that the government was of the view that it would not be economically responsible to chase revenues down. We will lay out in the budget tonight the choices we have made—the responsible decisions we have made—to protect jobs and ensure continued growth but also to make the right investments for Australia's future. The challenge for the opposition is whether they will ever tell Australians what their plans are. *(Time expired)*

**Senator Brandis** (Queensland—Deputy Leader of the Opposition in the Senate) *(14:15)*: Mr President, I ask a supplementary question. I will read further from the Treasurer's very interesting budget speech delivered this time last year:

_The surplus years are here … A surplus provides our best defence against dramatic changes in the global economy._

Does the government stand by that statement?

**Senator Wong** (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) *(14:16)*: I invite Senator Brandis, after the budget is delivered, to be part of the leadership team on that side and tell Australians what their plan would be. We
will lay out in the budget the choices we have made to protect jobs, to protect growth and to invest in great and important reforms for the country, like disability care and our schools reforms. We will lay those choices out. Some of them, I know, will be criticised by those opposite. But the difference between the government and the opposition is that we will tell Australians what those choices are. I can guarantee—and I hope you prove me wrong—that those opposite will try to hide their real plans from Australians all the way to the election, because they do not want to tell people what they would cut and how much they would cut to the bone.

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:17): Mr President, I ask a second supplementary question. If the government refuses, as it has done this afternoon, to stand by the Treasurer's budget speech of just one year ago, why should the Australian people believe anything the Treasurer says tonight?

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:17): I think the answer is that, if you look at the economic facts as opposed to the hysteria from Senator Brandis and others, you will see an unemployment rate which is relatively low by comparison with the rest of the world; you will see 960,000 jobs created since we came to government; you will see an economy 13 per cent larger than it was when we came to government; and you will see, as former Prime Minister John Howard said, that 'the Australian economy is doing better than most'. That is what you will see.

I would say to anyone who wants to listen to Senate question time and Senator Brandis: never believe the opposition when it comes to their ongoing criticism of the Australian economy. It is in their political interest to talk the economy down. It is always in their political interest to talk the economy down. (Time expired)

Great Barrier Reef World Heritage Area

Senator WATERS (Queensland) (14:18): My question is to Senator Conroy, the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities. The World Heritage Committee's draft decision of a week ago warns that Australia has just one year to avoid having the Great Barrier Reef added to the List of World Heritage In Danger and that we can avoid that by acting on that committee's recommendations to pause development in the reef until the strategic assessment is completed, rule out new ports in pristine areas and reject damaging port expansions. They say there has been limited progress on these recommendations by both state and federal governments.

Is the federal government now going to act on those recommendations to ensure that Australia will not be the only developed nation with a site on the List of World Heritage In Danger, or is it instead going to lobby other nations to water down that draft decision prior to the World Heritage meeting in Cambodia in June?

Senator CONROY (Victoria—Leader of the Government in the Senate, Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (14:19): I thank the senator for her question. The Gillard government is committed to the protection of the Great Barrier Reef. The government is focused on tackling the challenges facing the reef, including climate change and the impacts of coastal development. The latest advice and draft
recommendations from the World Heritage Centre regarding the Great Barrier Reef World Heritage Area have been released and will be discussed, as the senator mentioned, by the World Heritage Committee at its next meeting, in Cambodia in June 2013. These recommendations are only the first step in making process, and the extent to which the recommendations are accepted or amended is a matter for the World Heritage Committee at that June meeting.

While the Gillard government takes very seriously the concerns raised by the World Heritage Centre and the International Union for Conservation of Nature, Australia has made substantial progress in implementing the World Heritage Committee's 2012 decision. The Gillard government is committed to adapting and improving the reef's management to allow for sustainable development while maintaining the reef's natural and cultural integrity. The Gillard government submitted an updated state-party report on the state of conservation of the Great Barrier Reef World Heritage Area to the World Heritage Centre on 1 February this year. The report addresses all the recommendations of the World Heritage Committee, including the recommendations of the reactive monitoring mission. They are a number of very real threats to the reef which are common to reefs around the world, including climate change—(Time expired)

Senator WATERS (Queensland) (14:21): Mr President, I ask a supplementary question. Xstrata Coal, following its Glencore merger, have yesterday pulled out of building their coal port on Balaclava Island in the Fitzroy delta of the Great Barrier Reef, one of those pristine areas that the World Heritage Committee recommended be off limits. Why is it that industry is voluntarily leading the way to pull out of developing these pristine areas rather than being compelled to by the federal or, for that matter, the state governments? Will the federal government now actively protect this pristine area from other coal and gas port proposals?

Senator CONROY (Victoria—Leader of the Government in the Senate, Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (14:22): Mr Burke is concerned at the suggestion that the reef should be considered for listing on the in-danger list in 2014, as the Gillard government has already made firm and demonstrable commitments to implementing the committee's previous decisions and the recommendations of the UNESCO monitoring mission. Key amongst these commitments is the announcement by the Prime Minister on 24 April of this year that the Reef Rescue program will be extended and expanded and that the Gillard government provide a further $200 million to the program over the next five years. The World Heritage Committee has previously recognised that Australia's management of the Great Barrier Reef is considered to be best practice in many respects. Minister Burke will therefore ensure that the committee fully understands—(Time expired)

Senator WATERS (Queensland) (14:23): Mr President, I ask a further supplementary question. Xstrata cite as one of the reasons they have pulled out of this new port that there is 'excess port capacity' in Queensland. This is industry admitting that they do not need to build this port and, by extension, any of the other six coal and gas ports that are proposed. Now that industry has admitted it, will government grow a backbone and rule out putting new ports in the Great Barrier Reef?
Senator CONROY (Victoria—Leader of the Government in the Senate, Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (14:24): Minister Burke is aware of media reports that Glencore Xstrata has decided to cease its development plans for the Balaclava Island coal export terminal due to adverse coal prices and shipping constraints. The environment department is seeking confirmation of these reports. The proponent for the Fitzroy terminal project is currently preparing a draft environmental impact statement for public comment. Both projects are being assessed because of likely significant impacts to listed threatened species and ecological communities—migratory species, wetlands of international importance, World Heritage properties and National Heritage places. The proponent for the Fitzroy terminal project is currently preparing a draft EIS under the EPBC Act. This project is being jointly assessed with the Great Barrier Reef Marine Park Authority and, if after a thorough and rigorous assessment—(Time expired)

Economy

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (14:25): My question is to the Minister representing the Treasurer, Senator Wong. I refer the minister to the fact that Australia's gross debt currently stands at $272.8 billion, just $27 billion shy—

Government members interjecting—

The PRESIDENT: Order! Senator Joyce, you are entitled to be heard in silence.

The PRESIDENT: No; do not debate it—just ask the question.

Senator JOYCE: Will the government increase the debt limit for the fourth time in four years in tonight's budget? There is that debt limit and we are getting up there. We are almost about to go through it.

The PRESIDENT: That is out of order. Order! There have been two instances in the chamber—order!

Senator Ian Macdonald: You are not being balanced.

The PRESIDENT: If you wait and listen to what I have got to say—a bit of courtesy would be nice, indeed. That is the second instance today where people have held things up in this chamber. They know they are out...
of order. It is not proper to display that material. Order!

Senator Faulkner: Are you saying that he is unbalanced? Those are your words. Get up on your feet and say so.

The PRESIDENT: Order! On both sides. Senators down the back, shouting across the chamber does not assist during question time. Order! Both of you, it does not assist question time.

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:29): The first point I make is in reference to one of the points made in that very long tirade by the former shadow minister for finance.

Senator Abetz: This is coming from the former climate change minister.

Senator WONG: Yes, I am the former climate change minister. I am now the Minister for Finance and Deregulation. Senator Joyce made a comment about the investment in the NBN. I do not know if he has looked at the policy of his friend Mr Turnbull, but Mr Turnbull is in fact promising to borrow almost as much for his plan—a plan for a network which would fall a long way short of providing an appropriate service, particularly to regional Australia.

Senator Joyce interjecting—

Senator WONG: From his interjections, though, I am confused at the moment as to where the senator's allegiances lie. Is he here representing Queensland or New South Wales?

The PRESIDENT: Order! The minister will come to the question.

Senator WONG: I will also make a point about the discussion—if you could follow it—that Senator Joyce was engaging in on gross debt. It reminded me why people regard Senator Joyce as the No. 1 ticket holder of the Tea Party here in Australia.

The PRESIDENT: Order! Senator Wong, just come to the question.

Senator WONG: The reason the Tea Party in the United States, we know—

Senator Joyce: On a point of order, Mr President: we just want to know whether the finance minister is going to be responsible for extending our debt ceiling again tonight—for the fourth time in four years. Can she answer that?

The PRESIDENT: Order! You have taken a point of order just after I had asked the minister to address the question. You need to address the question, Minister.

Senator WONG: Mr President, reference to the Tea Party is entirely relevant—because the logic of the gross debt question the senator has asked is precisely that of the Tea Party. I have to apologise to Senator Bernardi. He, of course, would like to be the No. 1 ticket holder for the Tea Party in Australia. That makes Senator Joyce the No. 2 ticket holder. The point is that the irresponsible Tea Party scaremongering we have seen in the United States congress is mirrored in the bloke who wants to be the Deputy Prime Minister of Australia. Even the Liberals are going pale at that prospect. Well may he stand up—their heads are down.

Senator Joyce: Mr President, I rise on a point of order. I thank the minister for her endorsement. But, apart from that, we just need to know: are you and your incompetent government going to extend the debt ceiling once more?

The PRESIDENT: Order! That is not a point of order.

Senator Joyce: It is one of relevance. Are you extending the debt ceiling?
Senator Conroy: Re-asking the question is not a point of order.

The PRESIDENT: Order! The minister has seven seconds remaining.

Senator WONG: I will be very happy, in responding to Senator Joyce's next supplementary, to suggest which graphs he should look at—perhaps one which compares Australia with the rest of the world.

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (14:32): Mr President, I ask a supplementary question. I refer the minister to the fact that, this financial year, the government has borrowed $37 billion in the first 10 months. This borrowing is the second largest—you would think that borrowing that much would be the most, but it is not; it is the second most—amount borrowed under this Labor government in any one year. Can the minister explain why, if the economy is so strong—if they are doing so well—the government is continuing to borrow all this money?

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:33): I suggest the senator read the budget papers. He might then get some understanding of what the same people who advised Mr Costello are advising this government—about the hit on revenues as a result of the combination of a persistently high dollar and falling terms of trade and the squeeze that is putting on profits. But, if the senator wants to talk about debt, perhaps he should look at Australia's position compared to the rest of the world. Perhaps he can then look at what Mr Howard said—that our debt to GDP ratio, the amount of money we owe in relation to the strength of our economy, is still a lot better than that of most other countries. Perhaps he should talk to Mr Howard, who might explain to him the real position when it comes to Australia's public finances. (Time expired)

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (14:34): Mr President, I ask a further supplementary question. Seeing how the minister wants to be asked a question on net debt, we will do so. I refer to chart 2 on page 3.22 of last year's budget, which showed that the government was predicting that it could repay our net debt by 2021. Given that the government has foreshadowed it will produce 10-year forecasts in the budget, will the budget forecast when net debt will be repaid and will the government promise it will still be repaid by 2021? There is a question on net debt. See if you can answer that one.

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:34): The budget will lay out the pathway to both surplus and the repayment of net debt. I make this point: if the opposition are putting to the Australian people that they would—to use Senator Joyce's point—pay off debt earlier and return to surplus earlier, why do they not come in here and tell people what they will cut? What cuts will they make on top of the pension cuts they want to put in place, on top of the cuts to family tax benefit they want to put in place and on top of the increases to income tax paid by every low-income earner in Australia they want to put in place? If you are so serious about paying off debt, why do you not have the guts to come in here and tell Australians what you would cut? I bet you will not do that. In fact, I bet you do not even know.

Senator Joyce: Mr President, I listened to what the minister said and I concurred. I asked a question on net debt—
The PRESIDENT: Order! You are now debating it. Are you taking a point of order?

Senator Joyce: Yes, on relevance. Are they going to pay off the net debt by 2021?

The PRESIDENT: That is just repeating the question. I draw the minister's attention to the question.

Senator WONG: I again say: if the opposition believe they have a better position, they should come in here and tell the Australian people what it is.

National Disability Insurance Scheme

Senator SINGH (Tasmania) (14:36): My question is the Minister representing the Minister for Disability Reform, Senator McLucas. Can the minister update the Senate on some very significant Labor policy—that is, the progress of DisabilityCare Australia?

Senator McLucas (Queensland—Minister for Human Services) (14:37): I thank Senator Singh for her question. Our Labor government is building a stronger and fairer Australia—an Australia that provides people with disability, their families and their carers with the support they need and they deserve. We have been clear that DisabilityCare Australia will be for all Australians so that everyone has the peace of mind that if they or a loved one are born with or acquire a disability they will be supported, ending the cruel lottery where care and support depends on where you live or how you acquire your disability.

The National Disability Insurance Scheme Act received royal assent on 28 March. That landmark piece of legislation lays the framework for the operation of DisabilityCare Australia as it launches around the country from 1 July this year. Senators will recall that in December last year we reached a historic agreement with the New South Wales government to roll out DisabilityCare right across that state, and since then we have reached agreement about funding and roll-out with the governments of South Australia, Tasmania, Victoria, the ACT, my own state of Queensland, and the Northern Territory. These agreements provide certainty for the vast majority of Australians so that if they or people close to them have or acquire a disability they will receive reasonable and necessary support to achieve their goals in life and to participate in community life.

There were those on the other side of the chamber and in the other place who said that Labor could not achieve this historic reform, that we were unfairly raising the hopes and expectations of people with disabilities. While they heckled from the sidelines, we got on with the job. While they told Australians to lower their expectations and demand less, Labor worked to put the agreements and put the funding in place.

(Time expired)

Senator SINGH (Tasmania) (14:39): Mr President, I ask a supplementary question. Can the minister update the Senate on the preparations to launch DisabilityCare in July this year?

Senator McLucas (Queensland—Minister for Human Services) (14:39): In just a few months we will launch DisabilityCare Australia. The first stage of the scheme will mean around 26,000 Australians with disability will receive the care and support that they need, and they will have choice and control over the support that they are purchasing. From 1 July this year DisabilityCare Australia will launch in the Barwon region of Victoria, in the Hunter in New South Wales, in South Australia for children aged between zero and five and in Tasmania for young people between the ages of 15 and 24. From July 2014, DisabilityCare will be launched in the Northern Territory and in the Australian Capital Territory. We
have established the National Disability Launch Transition Agency, which has been working with people on the ground to deliver this fundamental reform. In less than two years we have built a scheme that will be ready for launch in July. (Time expired)

Senator SINGH (Tasmania) (14:40): Mr President, I ask a further supplementary question. Can the Minister inform the Senate of any obstacles to the full rollout of DisabilityCare for all Australians?

Senator McLUCAS (Queensland—Minister for Human Services) (14:40): We have reached agreement with all states and territories to deliver DisabilityCare Australia with the exception, unfortunately, of Western Australia. These agreements mean that around 90 per cent of Australians will be covered by DisabilityCare if they are born with or acquire a significant and permanent disability. But we want to make this 100 per cent. A truly national scheme will mean that Australians with disability will receive the support they need regardless of where they live. I know that people with disability and their families and carers in Western Australia want to be part of DisabilityCare, and so I urge Premier Colin Barnett to join his colleagues in other states and sign on for the full scheme. I thank the states and territories for the work they are doing with us to build DisabilityCare Australia. It is the reform of a generation; it is a reform whose time has come. (Time expired)

Budget

Senator SINODINOS (New South Wales) (14:42): My question is to the Minister representing the Treasurer, Senator Wong. Is the minister aware of reports that the Assistant Treasurer has been contacting selected businesses to brief them about aspects of tonight's budget which relate to potentially market sensitive information?

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:42): I certainly would not say to Senator Sinodinos that he does not know anything about economics—he does, and I trust that he might explain—

Senator FERRAVANTI-WELLS: That's very nice of you, Penny!

Senator WONG: Well, he does. I am very happy to have a discussion with him about nominal GDP and the effect on revenues after he has read the budget papers. I assume he will be in the lock-up. I understand that this question has been asked and answered in the other place. I understand that Mr Bradbury has made the point that it is appropriate for government to regularly engage in consultation with stakeholders, and I cannot provide any further information on what the Assistant Treasurer has done because obviously that is a matter for him. I can say to the Senate that this is a government that does value consultation processes. I understand, and obviously I do not have Hansard in front of me, that a similar suggestion was put in the other place and the Assistant Treasurer has clearly refuted the suggestion.

Senator SINODINOS (New South Wales) (14:43): Mr President, I ask a supplementary question. What assurances can the minister give that this did not confer an undue advantage on those businesses that were contacted?

The PRESIDENT: The minister can answer that question insomuch as she can.

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:44): I refer to my previous answer: if there are any further details I can subsequently obtain for the senator, I will do so.
Senator SINODINOS (New South Wales) (14:44): Mr President, I ask a further supplementary question. My understanding is that the Assistant Treasurer refused to rule out the suggestion that that was the case. Is this a new protocol under the government in terms of consultation on market sensitive matters, virtually within days of the budget?

Honourable members interjecting—

The PRESIDENT: Order!

Senator Faulkner interjecting—

Senator Ian Macdonald interjecting—

The PRESIDENT: Order! When there is silence at the back of the chamber—if you wish to have a discussion, you can go outside.

Senator WONG (South Australia—Deputy Leader of the Government in the Senate and Minister for Finance and Deregulation) (14:45): I am almost loath to answer that because the conversation at the other end of the chamber is so entertaining. But my suggestion to Senator Sinodinos is that he be very cautious about making unfounded accusations. I am certainly happy to get further details from the Assistant Treasurer. The government is very well aware of both the legal provisions and the conventions in relation to market sensitive information. The government is also aware of the importance of continuing to engage with stakeholders in the development and finalisation, or the consideration, of policy.

Literacy and Numeracy

Senator WRIGHT (South Australia) (14:46): My question is to Senator Lundy, the Minister representing the Minister for School Education, Early Childhood and Youth. With the sixth year of NAPLAN testing happening this week, there is a growing campaign among parents, teachers and academics to boycott NAPLAN. National rates of withdrawal from NAPLAN tests have been growing, with year 3 mathematics exam rates increasing nearly fourfold since 2008. At the same time, research by the University of Melbourne last year showed that approximately 73 per cent of teachers reported teaching to the test, at the cost of other subjects that NAPLAN does not address. My question is: is the government concerned by the level of dissatisfaction with the program while it absorbs such a large proportion of educators' time and resources?

Senator LUNDY (Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport) (14:47): The National Assessment Program Literacy and Numeracy, or NAPLAN, is an annual assessment of students in years 3, 5, 7 and 9. At is an everyday part of the school calendar and has been since 2008. NAPLAN test dates for 2013 are 14 and 16 May—so, this week—and across Australia approximately one million students will sit the test. The purpose of NAPLAN is to provide reliable, comparable information on how students, schools and school systems are performing against national standards, including national minimum standards in each of the assessed areas. NAPLAN tests the sorts of skills that are essential for every child to progress through school and life, such as reading, writing, spelling and numeracy. NAPLAN allows governments, education authorities, schools, teachers and parents to determine whether or not young Australians are meeting important education outcomes in literacy and numeracy.

All students in years 3, 5 and 7 are encouraged to participate, as I said. Although participation is not mandatory, it is pleasing to see that withdrawal rates nationally are very low. Back in 2012, for all students sitting the NAPLAN tests, the withdrawal rate was 1.5 per cent across all domains and
year levels. When students do not take part in NAPLAN, the students, their parents and their teachers miss out on the opportunity to see where they are doing well and what areas they may need to work on. So we encourage full participation in the NAPLAN test process.

Senator WRIGHT (South Australia) (14:49): Mr President, I ask a supplementary question. There is evidence that NAPLAN results are being misused as entry scores for certain schools; the publication of results on the My School site has compounded the stigma around some schools' reputations; and children are showing physical symptoms of stress, and companies are even selling fish oil to concerned parents. Are these unintended consequences of the program; and, if so, is the government concerned?

Senator LUNDY (Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport) (14:49): There is no robust evidence to suggest that NAPLAN testing is causing stress to students. NAPLAN is not a high-stakes test and, while it may be high profile, there are no adverse consequences for students. While it is expected that some students will feel some stress in response to any assessment, it is likely these responses are not exclusive to NAPLAN testing.

In 2012, the Whitlam Institute released a report entitled The experience of education: the impacts of high stakes testing on school students and their families—an educator's perspective, which claims that approximately 90 per cent of respondents to the email survey stated that at least some students reported feeling stressed. The report was based on an opt-in survey sent only to union members to which three per cent of members chose to respond—three per cent. In addition, many of the survey questions appear to have been structured to elicit negative responses. So I repeat: there is no robust evidence—(Time expired)

Senator WRIGHT (South Australia) (14:50): Mr President, I ask a further supplementary question. Given that the minister has said that the government is not convinced that there are associated difficulties, as outlined, with NAPLAN, how is the government intending to consider whether this is the case, and how will it improve NAPLAN and the way the results are used to better meet its stated objectives of student performance?

Senator LUNDY (Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport) (14:51): As I said, there is no robust evidence and, having had a look at the reports, we are very confident of that. That Whitlam Institute report supports anecdotal comments about NAPLAN testing not causing undue stress. But teachers and school leaders do have a role in helping students manage those feelings of stress and should not place students under undue pressure by focusing their curriculum and teaching practices around the NAPLAN tests.

The issue with NAPLAN testing is that it is in everyone's interests to have full participation. In that way, we are able to get the strongest possible results from the NAPLAN testing process, and this allows both schools and teachers to determine which areas of learning need to be strengthened in the context of that school and that class.

Asylum Seekers

Senator CASH (Western Australia) (14:52): My question is to the Minister representing the Minister for Immigration and Citizenship, Senator Lundy. How many IMAs did the Gillard government originally
budget for in the 2012-13 financial year? How many have arrived to date in the 2012-13 financial year? What is the difference between those two numbers? Can the minister confirm that earlier today yet another boatload of IMAs docked quite literally on Croker Island, 229 kilometres off the coast of Darwin and a mere three nautical miles from the mainland?

Senator LUNGY (Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport) (14:53): The cost of IMA management and the details you have asked about will of course be updated in tonight's budget. The Gillard government is committed to implementing the recommendations of the expert panel on asylum seekers, of which reopening Manus Island and Nauru were priority recommendations to stem the flow of boats and to prevent the loss of life on dangerous journeys to Australia. As members of the expert panel have said many times, the results—

Honourable senators interjecting—

The PRESIDENT: Order! It would be helpful if those who are talking across the chamber would cease to do so.

Senator Cash: Mr President, I raise a point of order in relation to relevance. I understand that you do give ministers quite a wide ambit when they are responding to questions. However, the minister in responding to my question stated in relation to the figures that I asked for that they will be updated tonight. Well then, quite frankly, that is the end of the answer to that question and nothing further should come from the minister. The second question that I asked was whether or not the minister could confirm that a boat has or has not quite literally docked on Croker Island today.

Again, the answer to that is merely a yes or a no, and no further information is required.

The PRESIDENT: I cannot instruct a minister on how to answer the question. I have said that before. The minister has one minute and 30 seconds remaining to address the question. I invite the minister to address the question.

Senator LUNGY: What an interesting way to approach a point of order. As I was explaining, placing the context of that question is incredibly important. As I was saying, the costing of managing boat arrivals is a complex matter. It depends on the average number of people in detention and the average length of their stay. It depends on how we hold people—whether they are held in community detention or indeed in the community on bridging visas. It depends on family size, security setting and the location of facilities. Mr President, the opposition cannot have it both ways. They cannot complain about the costs associated with the arrival rate while continuing to stand in the way of further measures recommended by the expert panel—like the Malaysia arrangement, which would have had a real impact on arrivals as part of the broader suite of measures that was recommended.

The PRESIDENT: I do draw your attention to the question.

Senator LUNGY: Mr President, this is directly relevant to the question. It was about additional arrivals.

The PRESIDENT: Order! No, this is not for debating. I have drawn your attention to the question. You have 21 seconds remaining.

Senator LUNGY: The opposition have gone from saying that they would stop the boats within months to giving no commitment that they could achieve it over the course of the next parliament. So, in asking me about recent arrivals of boats, it is
entirely relevant to reflect upon the opposition's policies in this area, which are specifically and deliberately unhelpful to achieving the goals that the government has— *(Time expired)*

**Senator CASH** (Western Australia) *(14:56)*: Mr President, I ask a supplementary question. I refer to the fact that, despite the government budgeting for what was 5,400 IMAs for the 2012-13 financial year—which was revised up on a number of occasions to ultimately 12,000—20,861 have arrived on 332 boats this financial year and over 24,000 people on 391 boats since the last election. Will the minister confirm that the budget produced prior to the 2010 election has blown out by over $5 billion, thanks to your failed border protection policies?

**Senator LUNDY** *(Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport)* *(14:57)*: I completely reject that question because clearly, if the coalition were supporting the government's approach and supporting our expert panel recommendations, including the Malaysia arrangement, it would have had a far greater impact on boat arrivals. So it is entirely hypocritical and disingenuous of the opposition to stand up and criticise us about the number of boat arrivals when they steadfastly refuse to support the measures that were recommended by the expert working panel. They do this, Mr President, because they put their own political interests ahead of the national interest and, indeed, ahead of the lives of people who are lost at sea as a result of their ridiculously obstructive behaviour on this—

*Honourable senators interjecting—*

**The PRESIDENT:** Order, on my left and my right! If you wish to debate it, the time to debate it is in about another three minutes. Senator Lundy, continue.

**Senator LUNDY:** Thank you. As I said, Mr President, it is entirely hypocritical and disingenuous of the opposition to stand up and criticise us about the number of boat arrivals, given the political stance they have taken on our proposals to implement the expert working panel's recommendations. *(Time expired)*

**Senator CASH** *(Western Australia)* *(14:59)*: Mr President, I ask a further supplementary question. I refer to the departmental secretary's response to the February estimates questions about the government's budgeted reduction in spending on illegal boat arrivals of $1 billion this financial year and a further $1 billion next financial year, and I quote: Senator CASH: … do those figures represent what stopping the boats would look like?

Mr Bowles: Yes.

Given that there have been 7,889 illegal arrivals on 112 boats since that response, how can we believe anything the government says when it lives in fiscal fantasy?

**Senator LUNDY** *(Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport)* *(14:59)*: Once again, the premise of this sort of question has to be rejected entirely because it is based on the fact that the opposition will not support the expert working panel's recommendations to us about how to manage the arrivals. I think it is well understood that there is considerable volatility in the international circumstances that drive people to flee. But we are dealing with a coalition that voted the Malaysia arrangement down. They voted it down. So to stand there and ask questions about the rate of arrivals and relating to the budget associated with the high cost of managing that rate of arrivals
shows that they are still prepared to score political points over both the national interest and the lives of people who are conned by people smugglers to pay their life savings to cross dangerous seas. What a shameful opposition you are.

Senator Conroy: Mr President, I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Water

Senator CONROY (Victoria—Leader of the Government in the Senate, Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (15:00): I table supplementary information to a response I previously provided to a question asked by Senator Xenophon and seek leave to have the additional response incorporated into Hansard.

Leave granted.

The answer read as follows—

Question:
Mr President, I ask a supplementary question. Given that $240 million of this fund is meant to return 40 gigalitres of water to the environment, will the Commonwealth be as innovative with the rules governing the fund as they are in asking river communities in South Australia to be innovative in their approach to optimising water use? For instance, will funding be allocated to projects that assist economies of scale and new tertiary processing facilities?

Answer:
On 28 October 2012, The Hon Tony Burke, Minister for Sustainability, Environment, Water, Population and Communities announced that the Commonwealth had set aside funding of $265 million for water recovery and industry regeneration projects in South Australian River Murray communities. The $265 million consists of:

- Up to $180 million, subject to due diligence, from SRWUIP for the River Murray Improvements Program to recover up to 40GL of water for the environment; and
- Up to $85 million, subject to due diligence, for the South Australia Industry Futures Program that will provide funds for research, regional development and industry development activities.

Funding of up to $1.2 million was approved in June 2012, for the South Australian Government to undertake a feasibility study and to prepare a business case for the proposed River Murray Improvements Program. The final business case has not been received by the Commonwealth to date. The due diligence process will review South Australia’s proposal against criteria which have already been agreed by South Australia.

The scope and content of the proposed South Australian Industry Futures Program is still being developed by the South Australian Government and will be subject to due diligence assessment on submission of a business case for the program.

Question:
Mr President, I ask a further supplementary question. Does the government acknowledge the fear of many river communities in South Australia that this $265 million fund may go the same way as the PIIP-SA water infrastructure fund, which has such restrictive, unsuitable and poorly targeted guidelines for funding that, after more than four years, only $14 million of $110 million in the fund has been allocated?

Answer:
The Government does not accept the criticisms of PIIP-SA. It is important to note that PIIP-SA has not conducted further grant rounds because the South Australian Government has sought to use the remaining funds allocated to PIIP-SA for other State Priority Projects.

The Commonwealth is already funding projects which support irrigation communities in the South Australian River Murray. For example, South Australian irrigators were successful in receiving approval of $35 million for on-farm irrigation modernisation under the competitive on-farm program in the Southern Basin. Further funding will flow as and when the new programs
pass due diligence, are approved for funding and the required funding agreements are put in place.

**BUDGET**

**Consideration by Estimates Committees**

Senator CASH (Western Australia) (15:01): Pursuant to standing order 74(5), and with notice given to the relevant minister's office, I ask the Minister representing the Minister for Immigration and Citizenship, Minister Lundy, for an explanation as to why answers have not been provided to 296 questions on notice from the October 2012 Senate estimates hearings and why no answers have been provided to the 509 questions on notice from the February 2013 additional estimates hearings.

Senator LUNDY (Australian Capital Territory—Minister Assisting for Industry and Innovation, Minister for Multicultural Affairs and Minister for Sport) (15:02): The department took 507 questions on notice from the additional estimates hearings held in February 2013. The department also took 647 questions on notice from the supplementary estimates hearings back in October 2012. The department has not met the deadline for receipt of answers to the Legal and Constitutional Affairs Legislation Committee as many of the questions sought detailed information on a number of complex and sensitive issues.

Over the past seven hearings since the supplementary estimates hearings in October 2010 there has been a significant increase in the number of questions on notice. I will give you some examples: 647 questions were taken on notice at the supplementary estimates hearings in October 2012; 510 questions were taken on notice at the budget estimates hearings in May 2012; 519 questions were taken on notice at the additional estimates hearings back in February 2012; 423 questions were taken on notice at the supplementary estimates hearings prior to that in October 2011; 794 questions were taken on notice at the budget estimates hearings in May 2011; 357 questions were taken on notice at the additional budget estimates hearings in February 2011; and 445 questions were taken on notice at the supplementary estimates hearings back in October 2010. This compares with only 136 questions on notice being asked at the budget estimates hearing back in May 2010. I hope these numbers give an indication of the weight of work that has been given to the department. They are doing their utmost to respond to those questions.

Senator CASH (Western Australia) (15:03): I move:

That the Senate take note of the minister's answer.

There is one thing that I agree with in relation to the minister’s response, and that is that the department has failed to answer the questions on notice. Minister, you are absolutely correct. When it comes to the Department of Immigration and Citizenship, there has been without a doubt over many, many years of estimates hearings now a pattern of behaviour. Maybe that department's pattern of behaviour can be put down to the fact that each and every day that we come into this place it would appear that another boatload of people have arrived, which means that this government is completely, totally and utterly incapable of controlling Australia's borders. One might then say that a responsible opposition would indeed ask questions about what is now possibly the grossest extent of policy failure that this country has ever seen. In fact, in this year alone, based on the number of people who have arrived, we now can say that under this government 66 people arrive per day—and the minister and the department wonder why we on this side of the chamber have
questions to ask in relation to this gross policy failure.

Not only do we have the fact that we are now looking at 66 people arriving per day but also in my home state of Western Australia many of you will be aware that just a few weeks ago a number of people were sitting in the Dome cafe in Geraldton having morning coffee and a muffin when—lo and behold!—they looked up and could not believe that a boatload of illegal arrivals had sailed into the harbour. The joke was that maybe they should have leaned over and said, 'One soy latte, please,' that is how close they got to Perth and Fremantle in Western Australia. They sailed into Geraldton. It was when a few locals went out and asked, 'Do you guys have a problem?' that they said: 'Hello, yes. We are all the way from another country and we have quite literally docked in Geraldton. Maybe we will have coffee and breakfast with you.' And you wonder why, Minister, we on this side have questions to ask.

Then we had the revelation today that but a few hours ago a similar incident occurred and a boat docked at Croker Island just off the Northern Territory. Seriously, why even go to Christmas Island anymore when you can literally pull into the harbour at Croker Island or Geraldton? From this government there is silence. There is absolute silence.

A number of questions arise when you have such a gross breach of your country's border security. What about the quarantine issues that arise? If any one of us were to take an apple across the border and we were pinged by the Federal Police on the other side or Customs when we got off, we would be facing a jail sentence. This government does not seem to care that there were very, very serious breaches of quarantine when the boat sailed into Geraldton—and now with a boat almost into Darwin.

What about the fact that we have offshore petroleum stations? What about the fact that this boat allegedly must have gone past those platforms? What could have been done if they had wanted to do something? The questions abound. That is why we on this side of the chamber—the minister is right—do ask questions about what is now known, even amongst Labor ranks, as possibly the grossest dereliction of a federal government's duties ever seen in this country's history.

Minister Lundy, thank you for reading out the number of questions that have been taken on notice by the department, because maybe the department needs to have a look at itself. Maybe the departmental secretary needs to question why each question that we do ask at estimates is unable to be answered by the relevant departmental officers. Is it because they do not know? Because, if that is the answer, then we really do have a problem with the department. Or is it because the government does not want to reveal the information to the Australian people? I can only assume that that would have to be the answer—because, when you have 296 questions on notice from the October 2012 Senate estimates hearings that are still outstanding and every single answer to the 509 questions that were asked at the February additional estimates hearings is still outstanding, you can only assume that the government has something to hide—because, if it didn't, wouldn't you think that an instruction would be given to the department to answer those questions in a timely manner?

When there is such a gross, gross dereliction of duty in relation to this particular portfolio; when you have what is now in excess of 41,000 illegal arrivals on our shores, over 20,000 of those illegal arrivals having occurred in this financial year alone, yet the government only budgeted for 5,400—yes, they have revised up the
estimates in MYEFO to 12,000, but their original estimate was 5,400 arrivals for this financial year; and when you are looking at what is to date—and I am in sure that it will be more tonight in but a few hours time—a $6.5 billion cost blow-out in this portfolio area but five years ago, under the former Howard government, it was costing less than $85 million per year in this same portfolio—that is, $85 million versus what is now upwards of $7 billion—it is little wonder, quite frankly, that this government does not want the department to answer the questions.

Question agreed to.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Budget
Carbon Pricing
Economy

Senator HUMPHRIES (Australian Capital Territory) (15:11): I move:

That the Senate take note of the answer given by the Minister for Finance and Deregulation (Senator Wong) to questions without notice asked by Opposition senators today relating to the 2013-14 Budget.

Senator Wong was asked to answer a number of questions today relating principally to the promises made in last year's budget with respect to things like the delivery of a surplus. Senator Abetz quoted directly from the budget speech given last year by the Treasurer in relation to the absolutely 'rock solid' commitment made by the government at that time that a surplus would be delivered in the present financial year. This was indeed part of a rollout of four years of budget surpluses, stretching as far as the eye could see. Minister Wong, the Minister for Finance and Deregulation, was asked simply to confirm that those budget surpluses promised in the budget would still be government policy. Senator Wong made every effort she could to avoid answering that question. She made a vague allusion to governments having to respond to economic circumstances but did not illustrate for the benefit of the Senate what those circumstances might be.

I think we can safely assume that Senator Wong was not standing by the commitment made by the Treasurer in last year's budget. Nor should she, because it is already patently clear that this government has no intention of standing by those promises. They are promises that they have repeated from time to time—indeed, in the case of the commitment to produce a surplus. They are promises made some 500 times in the last 18 months or so by the Treasurer alone and countless tens of thousands of times by other Labor members, senators and representatives across the nation.

This comes in light of the commitment made by Kevin Rudd, the former Prime Minister, in March 2008, where he said:

We will honour all of our pre-election commitments. Every one of them, every one of them.

Before that, Ms Gillard, who was then a shadow minister, said in May 2005:

The Labor Party is the party of truth telling. When we go out into the electorate and make promises, do you know what we would do in government: we would keep them. When we say them, we mean them.

Well, if a week is a long time in politics, eight years or so is an eternity.

So Minister Wong says that economic circumstances have somehow affected the outlook for this government. Something has changed to cause the government not to be able to sit by the commitment it made last year with respect to a budget surplus. Can the minister tell us which of the other promises Labor has made in the last few
years are also now to be sacrificed because of economic circumstances?

When the Prime Minister said, 'There will be no carbon tax under a government I lead,' was that a promise she was entitled to break because of economic circumstances, or was it other reasons that led to that breach of faith with the Australian people? When the government promised that the Commonwealth would take over public hospitals if the states did not act by the middle of 2009, was that a promise broken by virtue of economic circumstances? The promise that there would be no reckless spending, that they would make major infrastructure decisions underpinned by cost-benefit analyses—was that a promise broken by virtue of economic circumstances? The promises that there would be no new taxes, that there would be no cutbacks in IVF treatment and that there would be 64 GP superclinics—were they all broken by virtue of economic circumstances? The promises that there would be no changes to the private health insurance rebate—was that caused by changed economic circumstances? What happened to the Department of Homeland Security? Do you remember that promise? Is that still coming, or has that gone—economic circumstances?

They said there would be no change to the baby bonus and there would be 260 childcare centres to end the double drop-off. What happened to them? I think we got about 10 before that promise petered out. They promised a trade training centre in every Australian secondary school. What happened to that—economic circumstances? We were promised that no trade union official or ex-trade union official would be appointed to Fair Work Australia. What happened to that promise? Gone. A promise to consult stakeholders on problem gambling reforms—gone. A promise to increase defence spending by three per cent in real terms—gone. A promise to cut red tape—gone. Tax relief, tax cuts based on the carbon tax—(Time expired)

Senator FURNER (Queensland) (15:17): A budget reflects what a government does in terms of the economy. If you look at our record on the economy, there cannot be another government that comes close to demonstrating what we have delivered through previous budgets. 

Opposition members interjecting——

Senator FURNER: All that those opposite want to do is talk down the economy. Conversely, what would they do? Let us reflect on my home state of Queensland and what the Liberal National Party has done up there. They have sacked 25,000 workers. The flow-on effect for the economy in Queensland is an increase in the unemployment rate and a lack of confidence among people to go out and spend. On top of that, what else are they doing? They are selling schools. They are selling aged-care homes as well, the homes of people who are in the last days of their lives, who should be respected and treated with dignity. The LNP are selling their homes out from under their feet. What a disgrace! This is a curtain raiser to what we will see if we end up with the unfortunate situation later this year where those opposite form government. On top of that, they are privatising all our assets in Queensland where possible. Last week I was on a road trip from Brisbane to Central Queensland. I had a very positive meeting with the council in Gladstone and they expressed deep concern over the LNP.
government's proposal to sell off the port. They referred to that proposal as a huge step backwards in time. The sorts of comments coming from councils who are concerned about what Campbell Newman's government has done in Queensland are also reflected in recent comments by former Prime Minister John Howard at the MFAA conference in Sydney. He said the economy is in good shape. He said that, while many people believe the Australian economy is running on empty at the moment, it is actually showing unexpected resilience. He went on to say that he is optimistic, bullish, about the future of the country and when Prime Minister Gillard, Treasurer Swan and others tell you the economy is doing better than most, they are right. That is Mr John Howard saying that we have got it right and you have got it wrong. That is your former leader in this place saying that we have got it right.

Let us look at the other things we have done. We have created nearly one million jobs since we have been in government, and that has created growth. We have 5.6 per cent unemployment, which is half the rate in Europe, which is presently at 11.9 per cent. Mr Deputy President, you are on the same committee as me, so you know that many ambassadors have come before that committee and commended us on how we handled the economy during the global financial crisis. That is why we have a AAA credit rating. We are one of only eight countries in the world to hold that rating. It is a rating that John Howard and the previous coalition government could never achieve.

I was travelling up the Bruce Highway on that trip last week. Another commitment we have made is $4.1 billion over 10 years for the Bruce Highway, compared to the $1.3 billion that those opposite managed to spend over 11½ years. The Bruce Highway is a construction site. When you drive on it, there are people with stop/go signs along the way. It is great to see. Although your trip is disrupted, it is great to see people employed on building new, better and safer roads for Queenslanders and for this nation—one thing that those opposite opposed in the stimulus package. (Time expired)

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (15:22): I rise to take note of answers to questions, especially the question from Senator Abetz to Senator Wong where Senator Wong said, 'We'll update the forecasts.' They are always updating the forecasts because they never get them right. They are not even making a good guess. Here we are: 'The surplus is here; we are out of deficit—here to stay for surpluses.' Where will the surplus be tonight? We will hear more detail—it will be around a $10 billion, $15 billion or perhaps $20 billion deficit for this financial year, whereas they, the government under Treasurer Swan, had forecast a surplus this year, even at MYEFO, back in October: 'We will have a surplus.' There will be no surplus. The Labor Party does not know what the word means. They simply borrow and borrow—and they have done it all my life, whether they be state or federal governments.

Senator Furner referred to Queensland. You would not believe it. There are 4½ million people in Queensland—roughly the same population as Ireland. Ireland owes $120 billion; the government took over the debts of their banks during the global financial crisis. Here we have Queensland owing $73 billion, and that is forecast to grow to $85 billion by 2015. They are heading down the road of Ireland. That is where the Bligh Labor government took the
finances of Queensland. No wonder they have to take harsh action now to try to stop themselves going down the road of Greece. Now we have this government doing exactly the same thing. Just in the 10 months this year, on the figures of the Australian Office of Financial Management, this government has borrowed $37 billion. And there was going to be a surplus! No, there will be no surplus.

They do not care if they impact on the confidence of the Australian people. That is what Senator Wong was saying: that we on this side are destroying the confidence of the Australian people. No; you, this government, have destroyed it, through your $273 billion of debt—your waste. We can go through all the schemes: the Pink Batts; the school buildings. Take the building where we in the National Party launched our campaign at Wagga Wagga last year; just on that day the covered outdoor learning area they had built fell over—collapsed. I could go to schemes in Moree where a builder carried out the Building the Education Revolution building and was never paid. That was $600,000 of bad debt to a builder, from Reed Constructions, carrying out a government scheme for the New South Wales incompetent government at the time—I forget who was Premier, whether it was Nathan Rees or Kristina Keneally, or Morris Iemma; I know they changed premiers pretty often in those days. And here is a contractor, someone in the private sector, blowing $600,000 doing a government job. What an absolute fiasco!

We could go out to Tottenham, a little town literally in the centre of New South Wales, where they spent $600,000 to build a school kiosk. It was so small they could not fit the microwave in it—$600,000 worth!

You are an absolute disgrace, and the Australian people do not trust you. They will not believe what the Treasurer says tonight. He is going to talk about 10 years time: $100 billion worth of infrastructure over the next 10 years. You cannot get it right three weeks out. Three weeks ago there was going to be a shortfall of income of $7½ billion. Two weeks ago it was $12 billion. A week ago it was $17 billion. You are not even making a good guess. And if you cannot manage the money, you cannot manage the economy.

This is the craziest thing of all. In October 2009, the Reserve Bank started raising interest rates. We had seven interest rate rises in a row, while the government was doing what? Stimulating the economy! So the government is borrowing money; they have their foot on the accelerator flat out, stimulating the economy, and the Reserve Bank is pulling on the handbrake! Who drives their car with their foot on the accelerator while pulling on the handbrake as they drive along? That is how stupid it is. You would not find an economist in the world who would say it would be good economic policy to borrow money and spend it while your central bank is raising interest rates to slow the economy. That is a stupidity. Of course, up went the Australian dollar. Have a look at the ramifications for rural Australia of that.

We could talk about the live exports of cattle. What a mess it has made of the beef industry! Instead of 750,000 animals going to Indonesia each year it is now down to 250,000. With the dry weather in Queensland, there is a flood of beef coming down to the southern areas and flooding the markets, and we are seeing cattle back at $20 a head. I wonder what would happen if wages went back to 1970 levels. There would be a hell of a fuss from the union movement. That will never happen. But it does not matter when you destroy the beef industry in Australia and put so many under so much pressure! You are a disgrace and the
Australian people do not trust you. *(Time expired)*

**Senator CAMERON** (New South Wales) (15:27): I will not be lectured by the coalition on economic responsibility—absolutely no way. This is a government who has delivered for this country, a government who have strong growth. The economy is nearly 13 per cent larger than when we came to power. We are now the 12th largest economy in the world. We have a AAA credit rating. We have low unemployment—5.2 per cent. We have an exceptional job creation record. We have contained inflation. We have a low cash rate and interest rates are sitting at some of their lowest ever. That means that a family with a $300,000 mortgage is paying $5,000 less in repayments every year than under the coalition government. We have very low debt. We are the envy of the world in relation to our debt. And, on investment, there has been $1 trillion worth of investment since Labor came to power.

You just cannot get away with one-liners when you come to talk about the economy. You really cannot get away with the nonsense that spews out of Senator Joyce. I know that some of you guys over there are embarrassed when you see Senator Joyce in full flight. Well, I am sure that the voters of New England will see him in full flight and will certainly cast their view on what he will be doing.

What is the great Liberal tradition? The great Liberal tradition on the economy is: if there is a problem, throw money at the problem. That is what the coalition do. What have you got now? You had a problem with your leader, Mr Tony Abbott. The problem was that women did not respect Mr Abbott. So what was the decision? 'Well, we will give women earning up to $150,000 a year 26 weeks paid maternity leave.'

Now the rebellion has started in the coalition. Mr Hawke, Dr Jensen, Dr Washer and Senator Eggleston are all saying that this is a problem, not consistent with coalition values—whatever they are. Senator Joyce was out defending it today, when every one of the Nationals has told you that it is a dog of a policy. It is a policy that you should not put in. It is economically irresponsible. It is unfair. It is unegalitarian. And you know that is the position, so you know you are in trouble with that.

I heard Senator Ryan talking before the Senate sat for question time today. He said, 'We have a conservative approach to budgeting.' Let us go back and have a look at how the last coalition government actually budgeted. I like the quote from George Megalogenis where he said:

> Every voter that cried "cost of living" was given a wad of cash to quieten them down.

That is the great economic responsibility of the Howard government—an absolute joke. He said:

> The competition for handouts infected the government itself. Howard and Costello argued, repeatedly, over the quantity and the content of the largesse.

That was the coalition's position on the economy. You had the Treasurer and the Prime Minister arguing about largesse, and you had Mr Costello done over by the Prime Minister time and time again. He was done over—that guy had no backbone, a jelly backbone, and no credibility—and he just gave in. That is the problem we had. George Megalogenis said:

> While Howard searched for the next payment to make to his target audience Costello tried to reinforce a sense of purity—well, he failed—by cutting income taxes as well.

He said:
The upshot was taxes were no longer being collected to provide public services, or to build buffers in good times to deploy in bad times, but to churn back to the electorate. The budget became a frequent-voter program …

(Time expired)

Senator RUSTON (South Australia) (15:32): I too rise to take note of answers given by Senator Wong in relation to questions asked by Senators Abetz, Brandis, Joyce and Sinodinos. Senator Cameron and those senators on the other side who spoke before you, we are talking about broken promises, when you say one thing and you do something completely different. This is not about the interpretation of economic indicators, as you have just stood up and talked about; it is actually about telling the Australian public the truth. I draw to your attention that in 2008—

Senator Cameron interjecting—

The DEPUTY PRESIDENT: Order!

Senator RUSTON: I draw to your attention, Senator Cameron and others in this chamber, that in 2008 the Treasurer, Mr Wayne Swan, titled his budget speech 'The new era of responsible economic management'. I have to say that I do not think that at the time anybody probably took a great deal of notice, but some five years on I think there is probably quite a lot of amusement out there that somebody could have entitled a speech that proved to be so wrong. The real tragedy is that the joke has been on the Australian public.

Hundreds and hundreds of times over the last five years, we have been told that we are going to have a surplus—we are going to have a surplus soon. At Christmas time, we were still going to have a surplus this year. After Christmas, we thought that maybe we were going to break even and we were going to have a small budget deficit. Two weeks ago, it was a $12 billion shortfall in revenue. One week ago, it was $17 billion in shortfall. One can only wonder, if we are losing about $5 billion a week, whether tonight's budget is actually going to tell us that we have a $22 billion budget revenue write-down. I bet we do not hear the word 'surplus' used too often in tonight's budget speech by the Treasurer.

Let us have a look at some of the other comments that the Treasurer has made. I draw these to the house's attention simply because you cannot constantly keep saying something that is constantly proved to be wrong. We all accept that every now and again you can make a mistake, but what we do in our businesses is go back and revise the errors that we have made. In 2011-12, the Treasurer said:

We are on track for surplus in 2012-13, on time, as promised—and this provides the solid foundations for the targeted investments we announce tonight.

And then, in 2012-13:

… on time, as promised.

The alternative—meandering back to surplus—would compound the pressures in our economy and push up the cost of living for pensioners and working people.

And then another comment, from last year's budget:

This Budget delivers a surplus this coming year, on time, as promised, and surpluses each year after that, strengthening over time—

et cetera, et cetera, et cetera. I am afraid to say how many times you can say the same thing incorrectly. You start questioning whether this Treasurer actually understands what a budget surplus is.

So what have we got? As a consequence of what I would now refer to as 'a new era of irresponsible economic mismanagement', we have a series of resulting backflips that have been caused simply because the government have had to balance the budget. Family tax benefit increases have been scrapped.
Increases in the tax-free threshold, as were promised, have been scrapped. We were not going to have a levy to fund the NDIS, but apparently we now have a levy. And the list goes on and on and on. How many houses were we promised would be connected to the NBN by now? I do not have the exact figures, but I would almost guarantee that not as many houses have been connected as were promised by the minister. Where is the funding for Gonski? Where is the funding for the dental scheme? Where are the boats that were going to be stopped, as we heard Senator Cash say earlier? We believe that one of them probably popped into Australia just in the last few minutes.

But I have to say that the winner of the biggest untruth of this government's reign has got to be the carbon tax: 'There will be no carbon tax under the government I lead.' As was mentioned earlier, it is not because of the global financial crisis that we have ended up with a situation where we were promised no carbon tax and we got one, but the real tragedy of the carbon tax is not the fact that the Prime Minister told us a lie but the consequences of that carbon tax on Australia. It is not just the cost of power; it is transferred into the cost of living. We have seen closed businesses. We see people out of work. We have seen the economy being constricted, and we have seen businesses become totally and utterly uncompetitive. So the great legacy of the lies and the untruths and the constant misrepresentation to the Australian people is that this government will leave a legacy that this country does not want.

Question agreed to.

**Literacy and Numeracy**

Senator WRIGHT (South Australia) (15:37): I move:

That the Senate take note of the answer given by the Minister for Sport (Senator Lundy) to a question without notice asked by Senator Wright today relating to NAPLAN testing.

This week we have the sixth year of testing under the National Assessment Program—Literacy and Numeracy, or NAPLAN, as it is known. There are increasing concerns being voiced by parents, teachers and academics that the test results are being misused in a way that is actually distracting from learning. If that is the case—that a program ostensibly established to enhance learning outcomes is detrimental to learning—then the government and all of us should be worried.

NAPLAN was introduced in 2008 to obtain information on student performance and to highlight the students most in need of development. Even at the time, there was, and there since has been, a great deal of contention as to whether the tests are appropriate, what they are actually measuring and how the results of the tests are being used. Good data about student achievement is important, of course, and there are many who say that testing like NAPLAN provides that data. Others say that it is important to be sure that the data is actually good, that it reliably measures the skills that need to be measured and that it is interpreted in context. NAPLAN tests, for instance, are a snapshot in time on one particular day. But after the government began to report the NAPLAN results of individual schools on the My School website, the data has been increasingly used to compare schools, often unfairly, and it is clear that an unhealthy level of competition has been leading to increasingly perverse consequences.

In a Melbourne university study last year, 73 per cent of the teachers who responded to a survey reported that the purpose of NAPLAN was to rank schools. Irrespective of whether that is the original or stated aim of NAPLAN, it may well be that this common perception is based on the de facto
situation that they are faced with—that schools and teachers are actually being compared according to NAPLAN results—in which case their perception is accurate. As a result, of course, and understandably, some of them respond by teaching to the test. Thirty-nine per cent reported doing this weekly, and of course there are consequent risks of boring students, narrowing the curriculum because they are not teaching other subjects or not spending as much time on other subjects, and reflecting to the children they are teaching week after week the high-stakes nature of the testing.

There have been instances of cheating in schools, with inappropriate assistance being given to some children, marks or answers being changed and children being discouraged from participating. Indeed, in my own state of South Australia, half of all the substantiated cheating incidents from the last round of testing occurred. The kinds of incidents I am talking about are cases where pressure was placed on parents to withdraw their child from testing and inappropriate assistance was given to students. Unfortunately, this reflects the unhealthy pressure felt by schools and teachers.

Most recently, we have seen the market respond to the anxiety and pressure caused by NAPLAN tests, with NAPLAN workbooks hitting the bestseller lists and Dymocks reporting sales doubling in the last 12 months, intensive tutoring of young children—and we have even seen the fish oil sales people come out to market dietary supplements to parents, playing on their anxieties and their fears. Despite these clear and growing concerns, Minister Garrett insists consistently on dismissing them, saying that parents and students just should not be worried. The trouble is they are, and the evidence is clear that it is increasing.

So, after five years of NAPLAN testing and increasing concern from parents, teachers and academics, it is my view, as Australian Greens spokesperson on schools and education, that we need to take stock. We now need to look at the evidence to see if NAPLAN is in fact doing what it was intended to do, whether it is doing it as effectively as possible and whether it is doing it without harmful consequences on students and their learning. That is why I will be moving for an inquiry to look at the evidence that is available and to look at the international best practice in regard to this kind of testing, and I would certainly hope that the old parties will support that call for a Senate inquiry.

Question agreed to.

CONDOLENCES

Oldmeadow, Mr Maxwell Wilkinson
Wilson, Hon. Ian Bonython Cameron, AM

The DEPUTY PRESIDENT (15:42): It is with deep regret that I inform the Senate of the death of two former members of the House of Representatives: on 21 March this year, the death of Maxwell Wilkinson Oldmeadow, a member of the House of Representatives for the division of Holt in Victoria from 1972 until 1975; and on 2 April this year, the death of the Hon. Ian Bonython Cameron Wilson AM, a former minister and member of the House of Representatives for the division of Sturt in South Australia from 1966 to 1969 and again from 1972 to 1993. I call the Leader of the Government in the Senate, Senator Conroy.

Senator CONROY (Victoria—Leader of the Government in the Senate, Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (15:42): by leave—I move:
That the Senate records its deep regret at the death on 2 April 2013 of the Honourable Ian Bonython Cameron Wilson, AM, former minister and member for Sturt, places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

Ian Wilson was a minister in the Fraser government and a member of the Australian House of Representatives for 24 years, from 1966 to 1969 and from 1972 until he retired prior to the general election in 1993. Ian was born on 2 May 1932 in Adelaide to a well-known South Australian family with longstanding links to the Liberal Party. Ian's father, Sir Keith Wilson, was a prominent Australia Party and Liberal Party politician. His mother, Lady Betty Wilson, was the granddaughter of Sir John Bonython, owner of the Advertiser and a member of the first House of Representatives. She was also the great-granddaughter of Sir John Bray, the first Premier of South Australia born in that state.

Ian Wilson was educated at St Peter's College, Adelaide, and graduated in law from the University of Adelaide. As a 1955 Rhodes scholar, he obtained a further degree at Oxford. After returning to Australia, he then practised as a barrister and solicitor before entering federal parliament. His father was also the member for Sturt, from 1949 to 1966, serving for 16 years with a brief period out of office from 1954 to 1955. Following in his father's footsteps, Ian was elected to the seat of Sturt, taking over from his father in 1966. Like his father, Ian lost the seat from short period. Labor's Norman Foster held the seat for three years, from 1969 to 1972, before Ian's re-election in 1972. Ian became a member of the executive of the Fraser government when he was appointed as Parliamentary Secretary to the Prime Minister, a position he held for four months before being appointed to the ministry. Ian had three ministerial appointments. He was Minister for Home Affairs and the Environment from 1981 to 1982 and was Minister for Aboriginal Affairs as well as the Minister Assisting the Minister for Social Security from 1982 to 1983.

By today's standards Ian Wilson was a liberal rather than a conservative. It is notable that some of the issues Ian Wilson was particularly interested in as a parliamentarian remain current for this parliament some 20 years on. The question on the constitutional recognition of local government was opposed by the coalition in the 1988 referendum, though Ian Wilson supported the question. At the next election, the issue of constitutional recognition of local government will again be the subject of a referendum question. Hopefully the question will be successful later this year, perhaps even with the support of conservative parties. Similarly, and like our current South Australian Senate colleagues, Ian Wilson was interested in addressing the issues of water quality and water flow in the Murray-Darling system. This is another issue that this Labor government has addressed in this parliament, with the delivery of the Murray-Darling Basin Plan. Ian's position on income splitting for families has in part been met through tax benefits for families with children. Even so, the issue of the appropriate level of income support for women in the workforce who have children remains current for the conservative members of this parliament.

Ian Wilson served as a notable member of the liberal tradition in the Australian parliament. On behalf of the government, I offer condolences as to his wife, Mary, and to his sons, Keith, Richard, James and Nigel, and their families.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (15:46): Today
we mourn a man who was universally regarded as one of nature's gentlemen—softly spoken, somewhat diffident in manner and completely decent. I speak of the Hon. Ian Bonython Cameron Wilson AM. He was part of the unique group of Oxbridge educated small 'l' South Australian liberals who were highly thought of across the political spectrum.

Ian Wilson grew up in a family which believed in service to the community and the nation. Their service over several generations is such that their family history is interwoven with South Australia's history. Ian was born in Adelaide in 1932. He was the son of Sir Keith Wilson, a prominent UAP and Liberal parliamentarian and close friend of Sir Robert Menzies, who actually proposed the toast for the then young Ian's 21st birthday and was part of the inspiration for Ian's career in politics. It is worth remembering that Ian's father, Keith, served for 20 years in the federal parliament—six of them in the Senate—during which time he also served in the Western Desert during War II. One trusts that pairs were not an issue!

Ian's mother, Lady Betty Wilson CBE, was a granddaughter of Sir John Langdon Bonython, owner of the Advertiser and a member of the federal House of Representatives; she was also a great-granddaughter of Sir John Cox Bray, South Australia's first native-born Premier. She was heavily involved in the Women's Council of the Liberal and Country League. Ian's great-grandfather was a delegate to the pre-Federation constitutional conventions of the 1890s. So Ian certainly had politics in his blood from both sides of his family.

He went to St Peter's College in Adelaide—where an ancestor, the Reverend Theodore Percival Wilson, had been the first headmaster—and afterwards went on to Adelaide university, where he graduated in law. While at university in the early 1950s, Ian became very involved with reorganising the Young Liberals. He was the first South Australian president of the Young Liberals, which had waned during the war years, when so many young men were absent. He read for his Bachelor of Civil Law at Magdalen College, Oxford, as a 1955 Rhodes scholar from South Australia before being called to the bar at Gray's Inn. Back in Australia he worked in the family law firm, Genders Wilson and Bray, as a solicitor and was also on the board of the ALMA shoe company, later Clarks shoes.

In 1958, at the time of the split of the DLP from the Labor Party, Ian stood for the seat of Adelaide but lost as a result of the leakage of DLP preferences. On his father's retirement, in 1966, after winning a plebiscite—and here is a number—of the 10,000 party members in the Sturt electorate, Ian Wilson retained the then enormous seat for the Liberal Country League. Following a disadvantageous redistribution, he lost it by about 500 votes to Labor in 1969—to a colourful waterside worker, 'Stormy Normy' Foster. Not to be outdone, he ran for Sturt again in 1972 and beat Norm Foster by 2½ thousand votes, at a time when Gough Whitlam was winning everywhere else. He held the seat as a marginal seat thereafter.

As a backbencher at the old Parliament House, he shared offices with one John Winston Howard for a period of 18 months. According to Ian, they got to know each other quite well and respected each other, as they both strongly supported the Liberal cause. Ian respected that Mr Howard was more on the conservative side, and Howard respected that Wilson was more on the small 'l' liberal side of the broad church known as the Liberal Party.
Ian became a minister in the final years of the Fraser government. From March 1981 to May 1982, he was the minister for Home Affairs and the Environment. During his ministry he oversaw the World Heritage listing of the Great Barrier Reef over the initial opposition of the then Queensland Premier, Joh Bjelke-Petersen. During this time, in his ministerial capacity, he also went to Cocos (Keeling) Islands to tell John Clunies-Ross that his rule of the islands was at an end. He protected the red crab on Christmas Island. One wonders how all these things occurred without the Greens, but a lot of things did occur, and Mr Wilson has a great record. He also oversaw the National Gallery's transition from collecting towards exhibiting. Given the intense effort he had put into the home affairs portfolio, Ian was disappointed to be so quickly elevated to Minister for Aboriginal Affairs and Minister Assisting the Minister for Social Security, which occurred as a result of a reshuffle. Like his father, Ian had an abiding interest in social security. In his maiden speech in 1967, Ian made the following remarks, which are relevant today:

For the last eighteen years a Liberal-Country Party Government has implemented policies which have permitted the economic growth of the nation. The growth rate has outstripped the rate at which the population has increased, with the result that the standard of living has improved significantly. The real value—the purchasing power—of wages increased and there have been improvements in ancillary benefits such as long service leave and annual leave.

... The steady yet dramatic economic progress which has been made has enabled the Government to embark upon the development of a comprehensive social security programme.

Ian then went on to detail that program before stating:

Members on this side of the House believe in adequate provision not only for the aged, the invalid, the widowed, the sick and the unemployed, but also for the children.

Ian was particularly interested in the impact of taxation on families and throughout his career was an advocate of income splitting, which was eventually included in the coalition's 1984 tax policy. It would be good if that could be revisited, but I doubt it will be.

During the Hawke-Keating years, Ian played an active role in the Martin banking inquiry. Ian Wilson was a classic 'small l' or moderate liberal, who played a prominent role in the formation of the South Australian Liberal Movement. Indeed, for some years he used his influence to contain the Liberal Movement within the confines of the South Australian Liberal Party, before it eventually separated. He described his political philosophy as follows:

I was a Liberal rather than a Conservative. But I believed that the Liberal Party of that period, as of even earlier periods, had to be a broad based party in circumstances where its members had the opportunity within the party to express their views and they would win some arguments and they would lose some arguments. But the give and take then was a strength that the party had.

In 1993 Ian Wilson retired from parliament, having lost the preselection for the seat of Sturt to one Christopher Pyne. The circumstances by which Ian lost the preselection for Sturt have become the stuff of folklore, and I will leave that issue to others. The then South Australian state director of the Liberal Party, Nick Minchin, noted that Ian had:

... served the party with great distinction for 23 years, including two years as a minister in the Fraser Government and has a great and distinguished record of service to the party and the country.

After parliament, Ian returned to his career as solicitor. He was a highly respected solicitor and became involved in a number of
charities. He also chaired the company managing the heritage listed Adelaide Arcade. Continuing his interest in the arts from when he was minister, Ian became national chairman of the May Gibbs Children's Literature Trust. The North Sydney Council wanted to use May Gibbs's harbourside home, Nutcote, at Neutral Bay, as a museum rather than as a facility that encouraged today's writers for children. Ian took over the corporate structure to help run the May Gibbs Children's Literature Trust, which has given children's writers the opportunity to have a quiet creative time in studio apartments around Australian capitals, despite funding being cut by the Australia Council.

In 2002 Ian Wilson was made a Member of the Order of Australia. Significantly, the citation on his award read 'for service to the community through a range of literature, health, social welfare and cultural organisations.' In other words, his AM was not for his role as a parliamentarian but for his service to the community in the areas that were mentioned in the citation. Indeed, over his life Ian was involved in many charitable organisations, including as Vice President of the South Australian Good Neighbour Council, Vice President of the British and Foreign Bible Society, Chairman of St Matthew's Home for the Aged and President of the Australian Birthright Movement, now the Lone Parent Family Support Service. In 2001 Ian was awarded a Centenary Medal for his 'service to public life as a federal member of parliament and minister'. Ian was a committed Anglican.

I am told that Ian Wilson deliberately elected not to have a state funeral, believing that those who wished to honour his life would attend regardless. And, at his funeral on 10 April in Adelaide, St Peter's Cathedral was packed. It was attended by many of his former colleagues from the Labor Party as well as the Liberal Party, including his contemporary Chris Hurford. Ian's life was, and is, an inspiration to others. He was a man to whom service to others came naturally.

I could not end this condolence speech without paying a special tribute to Ian's wife of 52 years, Mary. Mary helped Ian doorknock his electorate. She looked after the family while Ian was at parliament, taking the whole family to Canberra when parliament sat during school holidays. By all accounts, she is a truly exceptional woman. Our condolences extend to Ian's remarkable wife, Mary, to his four children, Keith, Richard, James and Nigel, and to their families. The coalition mourns a truly great Australian whom we are proud to call one of our own.

Question agreed to, honourable senators standing in their places.

PETITIONS

Chronic Venous Leg Ulcers

The Clerk: Petitions have been lodged for presentation as follows:
To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
Best practice management of chronic venous leg ulcers and other wounds requires early application of dressings, compression bandages and/or compression stockings.
Most wounds can be healed within 12 weeks with prompt best practice care.
Many thousands of Australians with venous leg ulcers and other wounds are elderly pensioners and lack of appropriate subsidy arrangements for dressings and bandages means they are unable to afford best practice care.
This results in delayed healing, avoidable pain and suffering for patients, and avoidable pressures on public hospitals and other health services.
Instead of saving money, this false economy results in losses all round—for the patient, for the
health system and for the taxpayers who fund public hospitals and other acute services.

Your petitioners ask/request that the Senate support the Australian Wound Management Association Inc proposal to subsidise the full cost of best practice wound management, including dressings, compression bandages and compression stockings for patients with chronic venous leg ulcers.

by Senator Smith (from 809 and 351 citizens).

NOTICES
Presentation

Senator Cameron: To move:
That the Environment and Communications Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 16 May 2013, from 1 pm, to take evidence for the committee’s inquiry into the Broadcasting Services Amendment (Material of Local Significance) Bill 2013 and the delivery of news coverage in rural and regional areas by the Australian Broadcasting Corporation.

Senator Cameron: To move:
That the time for the presentation of the report of the Environment and Communications Legislation Committee on the Environment Protection and Biodiversity Conservation Amendment (Great Barrier Reef) Bill 2013 be extended to 13 June 2013.

Senator Siewert: To move:
That the Community Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 15 May 2013, from 5 pm, to take evidence for the committee’s inquiry into the sterilisation of people with disabilities.

Senator Birmingham: To move:
That the time for the presentation of the report of the Environment and Communications References Committee on the protection of Australia’s threatened species and ecological communities be extended to 20 June 2013.

Senator Eggleston: To move:
That the time for the presentation of reports of the Foreign Affairs, Defence and Trade References Committee be extended as follows:
(a) Australia and the countries of the Indian ocean rim—to 17 June 2013; and
(b) victims of sexual and other abuse in Defence—to 27 June 2013.

Senator Heffernan: To move:
That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on the Australian citrus industry be extended to 31 July 2013.

Senator Fisher: To move:
That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Thursday, 16 May 2013, from 11 am, to take evidence for the committee’s inquiry into the review of Defence annual report 2011-12.

Senator Pratt: To move:
That the time for the presentation of the report of the Joint Select Committee on Gambling Reform on its inquiry into the advertising and promotion of gambling services in sport be extended to 28 June 2013.

Senator Wright: To move:
That the following matter be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report by 27 June 2013:

The effectiveness of the National Assessment Program—Literacy and Numeracy (NAPLAN), with specific reference to:
(a) whether the evidence suggests that NAPLAN is achieving its stated objectives;
(b) unintended consequences of NAPLAN’s introduction;
(c) NAPLAN’s impact on teaching and student learning practices;
(d) potential improvements to the program, to improve student learning and assessment;
(e) international best practice for standardised testing, and international case studies about the introduction of standardised testing; and
(f) other relevant matters.
Senator Milne: To move:

That the Senate—
(a) notes the April 2013 letter from the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke) to the signatories in the Tasmanian forestry talks affirming that he would not allow logging within the Tasmanian Wilderness World Heritage Area or other areas listed in the Environment Protection and Biodiversity Conservation Act 1999; and
(b) upholds the principle that areas listed as world heritage should never be logged.

Senator Ludlam: To move:

That the Senate—
(a) notes that:
(i) 19 May 2013 marks 15 years since Mirarr Senior Traditional Owner, Yvonne Margarula, was arrested for trespass on her own country at Jabiluka,
(ii) legal action, public education and one of the largest blockades in Australian history involving 5 000 people from across Australia and around the world stopped the mining of uranium at Jabiluka, and
(iii) Yvonne Margarula has recently restated her absolute opposition to Jabiluka’s development and her wish to see the area incorporated into Kakadu National Park; and
(b) calls on the Government to incorporate the Jabiluka lease into Kakadu National Park.

Senator Ludlam: To move:

That general business order of the day no. 75, relating to the Australian Broadcasting Corporation Amendment (International Broadcasting Services) Bill 2011, be discharged from the Notice Paper.

Senator Di Natale: To move:


Senator Rhiannon: To move:


Senator Milne: To move:

That general business order of the day no. 96, relating to the Competition and Consumer Amendment (Australian Food Labelling) Bill 2012 (No. 2), be discharged from the Notice Paper.

Senator Rhiannon: To move:

That the following bill be introduced: A Bill for an Act to require Australia to meet United Nations targets for official development assistance and to establish an Independent Commissioner on Aid Effectiveness, and for related purposes. Overseas Aid (Millennium Development Goals) Bill 2013.

Senator Milne: To move:

That the Senate—
(a) notes the Australian Greens are committed to working with all parliamentarians to establish a Leader’s Debate Commission in time for the 2013 federal election; and
(b) calls on the Labor Government to act urgently on this matter to ensure that the Australian people can hear directly from the leaders of all parties during the election campaign.

Senator Xenophon: To move:

That the following bill be introduced: A Bill for an Act to amend the Interactive Gambling Act 2001, and for related purposes. Interactive Gambling Amendment (Virtual Credits) Bill 2013.
Senator Rhiannon: To move:

That the Senate—

(a) notes that:

(i) the voluntary national Model Code of Practice for the Welfare of Animals: Domestic Poultry designates a maximum outdoor stocking density of 1,500 free range layer hens per hectare yet this is not enforceable and relies on self-regulation,

(ii) there is no consistent state government move to legislate a maximum of 1,500 hens per hectare, with only New South Wales, Tasmanian, Western Australian and South Australian governments currently considering bills to do so,

(iii) while an overdue review by the Primary Industries Ministerial Council of the Domestic Poultry Code has finally begun, it is years from completion and implementation, and

(iv) the Australian Competition and Consumer Commission has made free range eggs one of seven priority areas for 2013, noting consumers want clear and accurate labelling of eggs; and

(b) calls on the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) to work with state and territory governments to implement mandatory, nationally consistent truth-in-labelling laws covering production methods in the egg industry.

Senator Hanson-Young: To move:

That the Senate—

(a) notes:

(i) the long-term forecasts provided by Health Workforce Australia that show there will be a national shortage of 109,000 nurses and midwives by 2025, and

(ii) that South Australia is already facing a shortage in these industries due to a lack of succession planning, with only 50 per cent of South Australian nurses who graduated in 2012 employed in the state’s public health system; and

(b) in light of current and impending pressures, urges the Federal Government and the Labor Weatherill Government to heed the calls of the Australian Nursing and Midwifery Federation (South Australian Branch) to increase secure graduate jobs for nurses and midwives and provide specialist skills development within those industries to address the worsening attrition rates.

Senator Collins: To move:

That paragraph (2) of the order of the Senate agreed to on 29 September 2010 and amended on 8 February 2012, relating to the allocation of departments and agencies to legislative and general purpose standing committees, be amended as follows:

Under Environment and Communications, omit portfolios, substitute:

Broadband, Communications and the Digital Economy
Climate Change
Sustainability, Environment, Water, Population and Communities

Under Rural and Regional Affairs and Transport, omit portfolios, substitute:

Agriculture, Fisheries and Forestry
Arts
Infrastructure and Transport
Regional Development and Local Government
Sport.

Senator Collins: To move:

That—

(1) To ensure appropriate consideration of time critical bills by Senate committees, the provisions of all bills introduced into the House of Representatives after 16 May 2013 and up to and including 6 June 2013 that contain substantive provisions commencing on or before 1 July 2013 (together with the provisions of any related bill), are referred to committees for inquiry and report by 17 June 2013.

(2) The committee to which each bill is referred shall be determined in accordance with the order of 29 September 2010, as amended on 8 February 2012, allocating departments and agencies to standing committees.

(3) A committee to which a bill has been referred may determine, by unanimous decision, that there are no substantive matters that require examination and report that fact to the Senate.

(4) This order does not apply in relation to bills which contain:
(a) no provisions other than provisions appropriating revenue or moneys (appropriation bills); and

(b) commencement clauses providing only for the legislation to commence on Royal Assent.

Senator Collins: To move:

That, in accordance with section 45.20 of the Australian Charities and Not-for-profits Commission Act 2012, the Senate approves the Australian Charities and Not-for-profits Commission Amendment Regulation 2013 (No. 1) made under the Act on 1 March 2013 [F2013L00402].

Senator Heffernan: To move:

That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 31 July 2013:

The proposed takeover of GrainCorp by Archer Daniels Midland, with particular reference to:

(a) whether such a takeover is in the interest of:

(i) Australia’s farmers, and

(ii) Australia’s long term food security interest;

(b) the possible impacts for competing grain traders of access to grain handling facilities, ports silos and transport infrastructure;

(c) the possible impacts for grain traders, and a competitive marketplace, of access to warehoused grain stock information;

(d) the potential for conflict between the responsibility to foreign shareholders and the best interests of Australian producers and consumers;

(e) the ability of Archer Daniels Midland to manage such an important piece of Australian agricultural infrastructure; and

(f) any other related matters.

BUSINESS

Consideration of Legislation

Senator JACINTA COLLINS (Victoria—Manager of Government Business in the Senate and Parliamentary Secretary for School Education and Workplace Relations) (16:00): I move:

That the following general business orders of the day be considered on Thursday, 16 May 2013 under the temporary order relating to the consideration of private senators’ bills:

No. 111 Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013 [No. 2].

No. 102 Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2012.

Question agreed to.

Leave of Absence

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (16:01): by leave—I move:

That leave of absence be granted to Senator Cormann for 14 May 2013 for parliamentary reasons.

Question agreed to.

COMMITTEES

Foreign Affairs, Defence and Trade Legislation Committee

Reporting Date

Senator McEWEN (South Australia—Government Whip in the Senate) (16:02): by leave—I move:

That the time for the presentation of reports of the Foreign Affairs, Defence and Trade Legislation Committee be extended as follows:

(a) provisions of the Export Finance and Insurance Corporation Amendment (New Mandate and Other Measures) Bill 2013—to 17 June 2013; and

(b) provisions of the Veterans’ Affairs Legislation Amendment (Military Compensation Review and Other Measures) Bill 2013—to 17 June 2013

Question agreed to.
Rural and Regional Affairs and Transport References Committee Meeting

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (16:02): by leave—I move:

That the Rural and Regional Affairs and Transport References Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 15 May 2013, from 12.30 pm, to take evidence for the committee's inquiry into the Auditor-General's reports nos 26 to 2007-08 and 22 of 2012-13 in relation to the Tasmanian forest industry.

Question agreed to.

NOTICES
Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Opposition in the Senate (Senator Abetz) for today, proposing the disallowance of the Building Code 2013, postponed till 15 May 2013.

Business of the Senate notice of motion no. 2 standing in the name of Senator Fifield for today, proposing the disallowance of the Australian Charities and Not for-profits Commission Regulation 2013, postponed till 20 June 2013.

Business of the Senate notice of motion no. 3 standing in the name of Senator Fifield for today, proposing the disallowance of the Australian Charities and Not for-profits Commission Amendment Regulation 2013 (No. 1), postponed till 20 June 2013.


General business notice of motion no. 1078 standing in the name of Senator Madigan for 16 May 2013, proposing the introduction of the Citizen Initiated Legislation (Plebiscite) Bill 2013, postponed till 26 June 2013.

General business notice of motion no. 1188 standing in the name of Senator Whish-Wilson for 15 May 2013, proposing the introduction of the Mutual Recognition Amendment (Northern Territory Beverage Containers and Plastic Bags) Bill 2013, postponed till 17 June 2013.

BUSINESS
Rearrangement

Senator JACINTA COLLINS (Victoria—Manager of Government Business in the Senate and Parliamentary Secretary for School Education and Workplace Relations) (16:04): I move:

That the hours of meeting for Tuesday, 14 May 2013 be from 12.30 pm to 6.30 pm and 8 pm to adjournment, and for Thursday, 16 May 2013 be from 9.30 am to 6 pm and 8 pm to adjournment, and that:

(a) the routine of business from 8 pm on Tuesday, 14 May 2013 shall be:

(i) Budget statement and documents 2013-14, and

(ii) adjournment; and

(b) the routine of business from 8 pm on Thursday, 16 May 2013 shall be:

(i) Budget statement and documents—party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and

(ii) adjournment.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE
Climate Change

The DEPUTY PRESIDENT (16:04): I inform the Senate that, at 8.30 am today, Senators Fifield and Siewert each submitted a letter in accordance with standing order 75, proposing a matter of public importance. The question of which proposal would be submitted to the Senate was determined by
lot. As a result, I call on the matter proposed by Senator Siewert, namely:

Cutting the budget of the Australian Renewable Energy Agency by $100m slows down Australia’s transition to a low carbon economy and ignores the evidence provided by the Australian Energy Market Operator showing that achieving 100% renewable energy is technically straightforward and increases in electricity prices would be similar to business as usual projections.

Is the proposal supported?

More than the number of senators required by the standing orders having risen in their places—

Senator MILNE (Tasmania—Leader of the Australian Greens) (16:05): First, the bad news: last week climate scientists reported that for the first time atmospheric carbon dioxide concentration figures exceeded 400 parts per million. It is estimated that the last time CO$_2$ levels were so high was during the Pliocene geological era between three and five million years ago, prior to the evolution of humans. Climatologists estimate that the last time CO$_2$ concentration levels were this high, global average temperatures were around three to four degrees Celsius higher than today, and sea levels ranged between five and 40 metres higher. Concentrations of CO$_2$ are the same now. They are increasing rapidly and world leaders are still procrastinating about future climate treaties, when we are supposed to have negotiated a global treaty by no later than 2015.

At the same time, we have coal ports and a massive surge in coal exports and exploration of coal seam gas. That is why we are in a climate emergency right now—and we are in a climate emergency. In the real world—the physical world that we live in, the world of ice, of oceans, of atmosphere and of ecosystems—we are in crisis. We are in an emergency and it is a critical decade. If we do not reduce CO$_2$ levels rapidly then we are leaving to our children and their children, to all future generations, a planet which is increasingly unliveable. Lord Stern said just this week that there will be continent-wide collapses in agriculture, with millions being forced to leave their homes and seek refuge in other places. That is the kind of world that we are facing unless we get on with acting on climate change. Unfortunately, when the 400 parts per million record ticked over it did not receive the same kinds of headlines that it should have got around the world and particularly here in Australia. I suggest that is because people simply do not want to know—their heads are not in the real world; their heads are in the world of the profits being generated by the coal companies, by the resource based economy, and they do not want to see an alternative future.

It is in this context of the obvious need to get on with building a 100 per cent renewable energy future that I want to talk about the absurdity of cutting funding to the Australian Renewable Energy Agency. After the last election the Greens insisted upon the creation of the Multi-Party Climate Change Committee to negotiate a range of measures to reduce greenhouse gas emissions. Within the MPCCC we argued that more money was required to support renewable energy research and development as well as commercialisation, and that the allocation of funds should be depoliticised. ARENA was established as an independent statutory authority because this government, and in particular the previous energy minister, Martin Ferguson, were unable to effectively administer many renewable energy programs. He was a coal and gas man through and through, and we saw a constant raiding of the funds available for renewable energy.

A classic example is the Solar Flagships program. What a fiasco that was. It started in
2009 with $1.5 billion, and Labor will go to the 2013 election with not a single panel or heliostat installed, despite more than 50 projects worth some $80 billion jostling for a bite of the action. It beggars belief that just a single project, a 150-megawatt solar PV facility at Broken Hill and Nyngan, will eventually be built with flagships funding. It is a shame, a disgrace, that that has been allowed to occur. The main failure of the scheme was that it insisted upon very large projects, and these projects could not negotiate power purchase agreements. It should be remembered that the industry warned the government about these problems at the outset. I am confident that ARENA, together with the Clean Energy Finance Corporation, with whom it will collaborate closely, has absorbed those lessons.

The Greens have set up two statutory authorities, starting from the earliest research and development through to the pilot stage, which is the ARENA funding, and then an overlap on the pilot stage and out to delivering and leveraging private sector finance through the Clean Energy Finance Corporation. These were meant to be independent statutory authorities beyond the ability of the fingers of governments to raid them, because these are the technologies we need for the future. It has now been reported that around $100 million, it could even be $200 million, will be cut from the ARENA budget tonight.

There is also the view that the government is out there saying that these carbon-pricing schemes were designed to be revenue neutral—that is, receipts from the sale of permits should equal expenditure on assistance measures and industry development. This makes absolutely no economic sense. Why should expenditure on climate related programs be revenue neutral? Should we not be making the building blocks of the future, the race to 100 per cent renewable energy, a priority in this nation? If we are going for a society which is low economy, new jobs and new innovation with a sustainable planet and life and wellbeing for the people on it, then the race is on and it makes no sense to cut these programs.

We have a situation where, in this climate emergency, we will not be able to contribute equitably to the global challenge of limiting global warming to two degrees unless we get on with it. Australia's carbon budget is going to be tight as we proceed, and we will ultimately require complete decarbonisation of the electricity sector. That is why it is important to get on with it now, as it is apparent that renewable energy is reliable, and not more expensive than the status quo, and we should seek to capture the benefits of long-term transition planning and driving down costs with well-focused R&D. That is what ARENA's job was to do, and I can inform the Senate that the Greens will not be supporting legislation that cuts funding to ARENA. It will have to come through as separate legislation. We set it up in such a way that that would be the case. We will not be supporting legislation and we challenge the coalition to not support it either and, if the coalition goes into government, to not go ahead with those cuts.

AEMO recently reported on how we can achieve 100 per cent renewable energy. That report is special because for years it has been argued that we could not go ahead with 100 per cent renewable energy. We listened endlessly to people in here saying we could not have 100 per cent renewable energy. AEMO undertook the study as a result of the work we had done in the climate change committee, and they have come up with this finding that 100 per cent renewable energy is possible and now it is just a question of cost. The AEMO report estimated that there was the potential for increases in wholesale electricity prices, but the problem is that
AEMO did not look at a business-as-usual increase in electricity prices as a comparison. For the life of me I cannot understand why they refused to model business as usual as opposed to the cost of going to 100 per cent renewables. We can only assume that AEMO's bias is against renewables—but no matter.

Other assessments have also projected that we can get to 100 per cent renewable energy right now. That is exactly what we should be doing. The carbon price modelling commissioned by Treasury, particularly that which assumes that the world will adopt policies to achieve the agreed objective of limiting global warming to two degrees, and the current CSIRO eFuture modelling both project wholesale electricity prices that are similar to the AEMO study. Of course it is important to remember that wholesale prices are a relatively small component of retail prices.

The point I want to make very strongly today is that we can be getting on with it; we can deliver 100 per cent renewable energy. It is technically feasible to do so; it is just a matter of political will, of timing, of the amount of money we put into it. Now is not the time to be cutting and slowing down our move to 100 per cent renewables. I had the good fortune, with my colleague Senator Ludlam, to be in Spain last year when we went to the Gemma solar plant—a large solar thermal plant with molten salt in storage—and we stood in what Australia still thinks of as the future, but it is the present in Spain. Other places are doing it. We should have large-scale solar thermal in Australia. I want to see ARENA and the Clean Energy Finance Corporation delivering for Australia, and I want to see AEMO getting on with the job of driving and working with the community and with business to achieve 100 per cent renewable energy. (Time expired)

Senator SINGH (Tasmania) (16:15): I also rise to speak on this MPI, joining with Senator Milne—both of us coming from the state of Tasmania as senators—in recognising that Tasmania is the state with a very high amount of renewable energy, something that we both I am sure are proud of. And, in some way, one day Tasmania may be the first state to be 100 per cent renewable, one would hope. I speak on this MPI, first and foremost to highlight the fact that of course the government will not—and it has been said many times by the Treasurer—be providing a running commentary on speculation about possible budget measures. Suffice to say, obviously the budget will be handed down tonight at 7.30 by the Treasurer and then we will be made aware of its full detail.

Having said that, I would like to say the Labor government very much remains committed to ARENA and its important role of improving the competitiveness of renewable energy technologies in Australia. ARENA plays a vital role in doing that, and that is why the minister bought forward legislation to ensure we have an ARENA that can do that role. In doing so, the government has a very proud record of helping develop renewable energy in this country. In fact, when Labor returned to office in 2007, solar PV was a niche industry and our emissions were growing strongly each year. Last month, the government reached the milestone of supporting over one million rooftop solar panels with a total capacity of 2,500 megawatts. Around 2.5 million Australians live under rooftops with solar power. Again, in 2007, around 20,000 megawatt hours were produced each year by household solar. Now it is around 3.3 million megawatt hours—the equivalent of taking around a million cars off the road. Again, in 2007, there was around 1,140 megawatts of wind farm capacity across the country. Now,
wind farms with capacity totalling 3,000 megawatts are registered under the Renewable Energy Target, and many more projects are being developed. Again, I refer to some of those in Tasmania, one recently coming on board being Musselroe Wind Farm.

Labor's response to the Climate Change Authority's Renewable Energy Target review makes it clear that we are committed very much to the 41,000 gigawatt hour large-scale target, and we welcome the fact that, with lower demand, renewable energy is now likely to exceed the 20 per cent target by 2020. The rise of household solar and wind generation is now part of a broader transformation of Australia's electricity market with both the carbon price and Renewable Energy Target playing a key role. After the first nine months of the carbon price in operation, emissions in the National Electricity Market are down by 7.7 per cent, or 10 million tonnes. Generation from seven of the most highly polluting power stations is down by 16 per cent and renewable energy output is up by almost 30 per cent. That shows very much how carbon pricing is having an effect on our emissions output.

To maximise our potential for large-scale renewables and Australian innovation the Clean Energy Finance Corporation, ARENA and Clean Technology Innovation Program are very important measures to complement both the carbon price and the Renewable Energy Target. ARENA is already administering $1 billion allocated to assisting operations like this CS Energy's Kogan Creek solar boost project. This will be the world's largest solar project to be integrated with a coal fired power station and will provide 44,000 megawatt hours of zero emission electricity a year. ARENA is also supporting AGL Energy MPV manufacturer First Solar to build a project in western New South Wales that will generate enough electricity to power 30,000 homes.

I did note that Senator Milne referred to the AEMO report. I understand it is only a draft report at this stage. We will need to wait until the end of this month for the government to consider the AEMO final report, but the draft model does paint a couple of scenarios and estimates costs for 2030 and 2050. It may not have looked at costs of shifting to 100 per cent renewable energy, but whatever the detail of that report we should wait until it is handed down in full. I understand it is only in a draft phase.

I would again like to point out the importance of ARENA. It has been playing a key role in ensuring that we do meet our renewable energy targets, that we go beyond those targets. I am very supportive of Australia becoming a renewable energy country and being a leader in that sense for our neighbours, who are looking at us and looking at the work we are doing in leading the Asian region when it comes to reducing our emissions. We know that some of those developing nations have some way to go. But we also know that some of the more economically advanced parts of our Asian region, such as China and India, are working very hard to ensure that they reduce their emissions just as we are doing. That, of course, is where ARENA brings together a range of renewable energy initiatives that need to be taken into account.

I would like to point out the fact that we do have an alternative here, an alternative that hopefully will not become a reality post-September 14 this year. That is of course the coalition's plan for reducing emissions. I understand the coalition is committed to reaching the same emissions reduction target. However, the means and ways by which they have decided to go about doing this is certainly going to be hitting taxpayers
in this country in a very hard way. The coalition's plan, as we know, will be funded entirely on-budget as opposed to the carbon price, which we have in place which is paid by the biggest polluters. The coalition claim its policy would cost $10.5 billion over 10 years, but we know that the real cost of the coalition's policy is at least $48 billion by 2020.

In fact, Treasury analysis released last year shows that the economic costs of the coalition's plan would be higher for two reasons:

First, direct domestic action would forego opportunities for cheaper, internationally sourced abatement. Second, direct action programs are generally less effective at driving take up of all potential abatement opportunities.

On top of that, the independent Grattan Institute has estimated that there is a $100 billion black hole in the opposition's costings due to the impact of their direct action plan. Without a carbon price or ETS in the federal budget, $100 billion is a third of the entire federal government budget. That is coming from the Grattan Institute. We know exactly where that $100 billion black hole will be funded from—it will be borne by taxpayers. Let us make no mistake: we have an opposition who says they are committed to reducing emissions, but the ways and means that they are going to use to go about doing this is going to be hurting every single taxpayer in this country.

We already have in place a scheme, which will soon be a trading scheme, that is already working well and already reducing emissions. I have just provided to you the figures on that. But because the coalition's plan is entirely on budget, taxpayers' funds will be used to pay polluters to lower their pollution. Not only is that going to hurt taxpayers; it is also going to absurdly have taxpayers giving money to polluters to reduce their pollution. It is the polluters that are doing something wrong to our environment, not the taxpayers. And yet the coalition will make taxpayers pay for the wrongdoings of polluters, who therefore will have no impetus at all to change their behaviour. They do have that impetus under the carbon pricing scheme that the Labor government has put in place. The differences are clear there. That is something for taxpayers to consider when they are thinking about government policy to reduce emissions after September. I know which one I would prefer; I know which one my family would prefer. In fact, I cannot imagine any taxpayer in the country wanting the coalition's direct action plan. (Time expired)

Senator BIRMINGHAM (South Australia) (16:25): I thank the Greens for the opportunity to speak to this matter of public importance and note the fact that in doing so the Greens have highlighted another Labor broken promise. I am pleased that the Greens have done so. There are a number of ways in which they and their priorities have been the victims of these broken promises.

That, perhaps, is why the level of coordination and communication that used to exist between the marriage partners of the Greens and the Labor Party seems to have broken down a little bit. They obviously cannot manage to get their lines straight anymore. Senator Singh was just waxing lyrical about reductions in emissions that may have occurred and yet prior to her Senator Milne was waxing equally lyrical about how the latest global data indicates record level of emissions and emissions growth. Senator Milne is right: the challenge of climate change remains one of how you get a global solution; how you get global action; how you get emissions down from those who are far bigger emitters than Australia. Far too much of the debate in this place and far too much of the sideling seems to be about this belief that Australia
going it alone can make all the difference when the reality is that we need the action of the major emitters to make a real difference in this regard. From her rhetoric, Senator Singh seems to believe this. And this is true of Labor's and even the Greens' rhetoric.

We got this little lecture at the end about the biggest polluters—those evil and terrible biggest polluters. The carbon tax is paid by the biggest polluters, Senator Singh was telling the Senate. The carbon tax is paid by voters, because voters are consumers, just like tax is paid generally by voters. In the end, the carbon tax is passed through the economy, passed through the goods and services, into all manner of prices—and in particular, of course, the price of electricity, which has spiked directly because of the carbon tax by around 10 per cent nationwide. That is the impact that is hurting small businesses and consumers around the country and contributing very much to the tight margins that many businesses are facing.

Senator Singh went on from wrongly stating who is paying the price of Labor's carbon tax to talking about the fact that these are the polluters who are doing wrong. Let us make sure that these evil and terrible polluters are named and shamed! Should we try to reduce carbon emissions? Absolutely. But let us understand that the companies we are talking about here are in many instances companies that employ thousands and thousands of Australians. They generate jobs for many Australians. Entire towns and communities have been built upon these companies. They are making products, in many cases, that are essential to our public and private infrastructure needs. These are not evil wrongdoers; these are companies undertaking valuable economic activities. We should be seeking, of course, to reduce their emissions; but we should not be demonising them as the government—and Senator Singh in particular—seem hell-bent on doing. We should not be running around describing these companies with such pejorative language as 'evil big polluters' when the truth is that these are companies that overwhelmingly are simply doing their bit to try to employ Australians and grow our economy, and paying a whole world of Labor's new and increased taxes along the way.

It may come as a surprise, because the Greens had enough faith to sit down and do a handshake agreement or indeed sign a piece of paper with the Prime Minister, Julia Gillard, that the Greens have been dudged in relation to the deal they stitched up on the carbon tax. They have been dudged $100 million in today's budget. But it should not really come as a surprise, because it is one of so many broken promises—and, of course, the Greens have been dudged by the government before. It should not be a surprise, because tonight we will see a world of broken promises in the budget. We will see the biggest of all: the broken promise that relates to the delivery of a surplus this year, a promise that had been made on some 500 or 600 occasions by Ms Gillard and Mr Swan, let alone countless times by all the other members of the government. Just 12 months ago this was the surplus that was going to deliver; this was the start of a whole wave of surpluses. Now what we know is that, under this government, we are simply in the middle of a decade of debt.

There are other broken promises in this budget alone that also relate to the Greens' carbon tax deal: the promise of further tax cuts in 2015, the promise of an increase in the tax-free threshold that was due to occur—that was part of the Greens' deal with the Labor Party for the carbon tax, and that is another promise that will be broken in tonight's budget. So, even the carbon tax compensation to consumers and households
is not sacred under this government. That compensation that consumers and households were promised they would get in return for having to pay the increased costs of living that come with a carbon tax is now starting to be stripped away. That is not the only part of assistance to households that is going to be stripped away in this budget. The so-called mining-tax-funded changes to FTBA are equally being stripped away tonight.

But there are other areas of the Greens’ carbon tax package that we have started to see the government unwind. We have had a hit to families and to households with the 2015 tax cuts being abolished, and we have this $100 million cut to the Australian Renewable Energy Agency. Equally, once upon a time in the life of this carbon tax was the $2 billion Contract for Closure Program, which was going to provide funds and incentives to support the early closure of, in particular, brown coal fired power stations. Ultimately, the government scrapped that program and returned the funds to consolidated revenue. It has not helped their budget bottom line, I must note, as an aside; nonetheless, the government abandoned another commitment of what it would do out of the carbon tax.

And it is hardly surprising, because it is a long and sorry list of broken promises and bungles and mistakes that this government has racked up across the environment and climate change portfolios. It is little wonder the Greens decided to tear up their agreement with the government. It is just a shame that the Greens continue to prop up the government in every way possible—in the types of things that we have discussed many times in this chamber before, like the Home Insulation Program and the Green Loans Program, programs that were bungled by this government, programs that cost billions, inconvenienced thousands and caused severe hardship to many.

We have seen other programs come and go under this government. Indeed, just at the last election we saw commitments to things like the Citizens Assembly, or the Cash for Clunkers—Labor Party policies—

Senator Lundy interjecting—

Senator BIRMINGHAM: That’s right, Senator Lundy: Labor Party policies you took and ran under the last election and then promptly forgot about and tore up and abandoned straight afterwards in favour of imposing a carbon tax instead.

So we have seen dramatic change from this government of always doing, it seems, the opposite of that which it promised to do previously. I stand in this chamber not at all surprised by the fact that the government has broken another promise—that it has stepped away from another part of their carbon tax package. Of course, it is not making any changes to the tax itself. I note, though, that tonight when the budget is handed down the tax looks destined still to have unbelievable rates attached to it once it reaches its floating period. Once the carbon tax is floated I expect, based on all reports, that the government’s budget will still be estimating far greater revenue receipts than it is likely to receive, despite the fact that it will be writing down billions of dollars in revenue in the budget tonight for those forward years.

The Greens can come into this place and complain if they like about the fact that the government has dudded them, but this is a government that has dudded so many others, broken so many other promises and has such a track record of breaking its promises that, frankly, I have little sympathy for the Greens in this regard, and it should certainly come as no surprise to them.

Senator LUDLAM (Western Australia) (16:35): It is always interesting to follow Senator Birmingham on a speech about climate change. We are certainly not looking
for your sympathy, Senator Birmingham. Although I know that you believe that climate change is a massive issue that we need to face up to, regrettably, Senator Birmingham, you boss does not. He thinks it is crap. That is quite a big part of the problem. The cross-party consensus is that pricing carbon and making polluting industries pay, thereby becoming more efficient and financing the next generation of energy infrastructure in this country, was the most efficient way to drive emissions reduction. It is not the only way to do it, but it is a pretty good place to get going. That consensus broke down. It broke down around the time that the defective CPRS was being debated by this parliament.

As for the government, the problem with the Labor Party is that you never know what you are going to get. It seems to depend on which faction has its hands on the steering wheel at any given time as to whether you get something like the Clean Energy Act, which is working and driving carbon emissions down in the electricity sector in Australia. That is the data. It is not coming from Greenpeace. It is coming from the people who collect energy and greenhouse gas statistics in Australia. Greenhouse gas emissions are going down, electricity use is falling and it is becoming more efficient. Also, renewable energy infrastructure is displacing coal. That is a fact. The scheme we set up is working. It was written with the Greens—with Senator Brown, Senator Milne and the member for Melbourne, Adam Bandt—with the Minister for Climate Change, Industry and Innovation, Greg Combet, and with the House Independents in the cross-party climate change committee that was proposed by Senator Milne after the last election. The outcome we got was not perfect, but it was better than nothing. It is certainly better than the defective CPRS, which was unmourned, from a few years before, in that it actually works. We knew that the CPRS would not. So I am very happy to give credit to the government for entering into that agreement and delivering a package that worked.

This is also, of course, the party that is trying to double fossil fuel exports, not just out of the east coast coal ports but also out of the gas industry in Western Australia. It appears that you can never really tell what you are going to get with the Labor Party. It seems to depend more on internal factional disputes as to what sort of public policy result is going to fall out, so we get the sort of outcomes we are seeing tonight, where it is believed something in the order of $100 million will be cut out of ARENA. These are good programs. They are programs that get renewable energy developers a leg up so that they can participate in the Clean Energy Finance Corporation process. So, you take the small scale investments, the loans, the grants, and the research and development funding that ARENA provides and that gets you into the main game of building large-scale renewable plants, where the CEFC has been established, with $10 billion worth of funding, to get large-scale projects over the line. And it is working. If it is given time, if it is allowed to continue to work and does not have a wrecking ball put through it by a proposed alternative government, led by an individual who does not even believe climate change is real, we in Australia will continue the transition to a clean energy future.

As Senator Milne said, on the basis of our visit to Spain last year we realised it was not the future that we were talking about; it was the present: it has been built. And a plant six times larger than the one we visited in December is under construction in Nevada at the moment, at much less cost per megawatt hour. These are plants we should be building in Australia. What we say to the Clean Energy Finance Corporation and what we
say to the government is: look west, look to the goldfields of Western Australia, look to the inland Pilbara and look to the mid-west, to the east of Geraldton, where there is a whole community calling out for this, and a town—a regional city—that has developed its future plan for development based on zero-emissions electricity. Again, this is an initiative not led by the Greens—but supported, certainly, wholeheartedly by the Greens.

This is breaking out all over the place, in areas like Geraldton and Kalgoorlie in Western Australia. One of the things I did when I went to work as a staffer in a state Greens office in Western Australia in 2001 was write a letter in support of the Solar Cities bid by the city of Kalgoorlie-Boulder, whose mayor at the time was Ron Yuryevich. There are towns and regional centres right across Australia that are crying out for this kind of investment and this kind of technology, not just for the sorts of reasons we might expect but also, in terms of the mining industry, as a hedge against rising gas prices. We developed because Western Australia is not in the national electricity market and the Western Australian Independent Market Operator could not be compelled to do a 100 per cent renewable energy study for WA. We undertook to do it ourselves, because the state government is aggressively disinterested in understanding what kind of investment will be required to build out this sort of infrastructure in WA. So, we had consultants come in and assist us in developing scenarios for 100 per cent renewable energy for WA, and we call this Energy 2029.

I think it is tremendously important that AEMO—as Senator Milne has outlined, a pretty conservative entity that would not necessarily be prone to flights of fancy in its models around 100 per cent renewable energy—came to the conclusion that it is possible for Australia to run on renewable energy in its entirety. That is a big ask. The south-west of Western Australia is an island grid, not connected across the Nullarbor to the NEM. In collaboration with the body Sustainable Energy Now—engineers and people who have worked in the electricity—we are taken through the fast-moving world of renewable energy: the runaway uptake of rooftop PV, the astonishing solar fields of Andalucia and Nevada, and innovations in wind energy, wave energy, geothermal energy and bioenergy. The largest renewable energy generator in Western Australia at the present time is the Perth metropolitan area, because of the amount of rooftop PV that has gone in in Western Australia. These things are happening.

The policies we have put in place are not perfect. They need to stay stable, they need to not be pulled apart by people who have managed to convince themselves that there is nothing here to worry about. But they are working, and we are now driving the transition we have been seeking. The Energy 2029 study, like the AEMO report, found that the move to 100 per cent renewable energy is possible. And, if you take fuel costs out to 2029 into account, it is not that much more expensive than business as usual because once you have put the capital plant in you have eliminated your fuel costs. It is a completely different way of thinking about electricity generation. A crucial thing that our report found—which I think goes against some of the hysteria that is levelled at people promoting the next generation of installation of this sort of technology—is that a renewable future in fact provides at least three times as many jobs as the current number employed in coal, oil and gas in WA. There are two or three gas power stations in WA that have no staff at all. It is not necessarily a huge employer, and that is something we need to keep in mind. Again,
these are based on very conservative government figures from BREEE that show more than 22,000 net new jobs would be created just in WA through that transition out to the year 2029.

So this is something that the Australian Greens will be taking to the next election, and we will certainly be looking very closely at the budget when the Treasurer stands up tonight and delivers his speech. The question is whether we can take the government seriously—because we know we cannot take the opposition seriously—on renewable energy not just as an investment strategy for places like Western Australia, the Sunbelt, the inland Pilbara and the mid-west but also because climate change is real, because time is running out and because we are forcing our climate back to a place where it has not been for at least three million years. Whether Mr Abbott believes it or not is immaterial, because you cannot fool the atmosphere. The strategic leak that appear to have been made to the gallery—to soften the blow, as it were—is that there will be cuts to funding in this vital area of research and development into renewable energy, which would have ensured that we do not end up simply buying this stuff from overseas countries in 10 or 20 years time, when it is too late.

We can do this here. For all the acknowledgement right across the chamber of the crisis in the Australian manufacturing sector—and what has been done to it, partly by the high value of the dollar—we have some of these things right in front of us. We have some of the best research institutions in the world and some of the best researchers, who then go overseas to do this work. We have absolutely no excuse.

Senator Birmingham stands up and says things like, 'This is all about much larger emitters than us.' This is not just a crisis; it is also an opportunity. But it is not an opportunity that will be met by cutting the vital research and development funding that Australian renewable energy developers need to do the job that we urgently need them to do.

Senator CAMERON (New South Wales) (16:45): I am a bit sick and tired of the lectures and pontificating from the Greens in relation to renewable energy, as if they were the only ones who cared about the climate. The position that they are putting up now is that they want the complete decarbonisation of the Australian economy. I am not sure over what period this complete decarbonisation will take place, but I know, from a Labor perspective, that we would like to see the economy decarbonised over a period of time. But it has to be done on the basis of taking into account the national interest and the interests of communities that are reliant on coal and coal fired power stations.

I brought my kids up in Muswellbrook. I was a worker in a coal fired station, so I know how much a lot of these workers rely on coal and coal fired power stations for their future. I agree with the theoretical position of decarbonising the economy, but I am also pragmatic about how that should come about, what length of period it would take and the implications for communities and industry in this country. So, for the Greens to come here and simply say, 'We're going to decarbonise the economy; we're going to take that to the next election,' is fine, but that is why they end up with a vote of about 10 per cent—because people do not believe that they are actually dealing with wider problems.

The Greens have the great luxury of never being able to govern. The luxury they have is that they can take these positions, focus in on the 10 per cent vote that they have now, and try to ensure that that 10 per cent shows up.
And talking about decarbonisation of the economy—talking as if they are the only ones that care about the future for our grandkids—is a bit rich, I reckon.

Senator Brandis interjecting—

Senator CAMERON: Sorry?

The ACTING DEPUTY PRESIDENT (Senator Boyce): Senator Cameron, ignore the interjections.

Senator CAMERON: It was a great interjection but it did not make any sense!

In terms of the decarbonisation issue, the other argument that has been put forward by the Greens is about research and development. I was in Spain a couple of years ago. I went there to have a look at carbon capture and storage technology. I went to the UK and spoke to some of the experts there. Let me tell you, everywhere around the world the green groups are starting to understand that carbon capture and storage is important—except here, in Australia, where carbon capture and storage is not accepted as a technology that needs to come into place to ensure the future of many countries and many industries.

You see, you cannot continue to produce cement without carbon. These issues are being dealt with by trying to get the technology in place for carbon capture and storage. I know it is difficult. I know it is expensive. I know it will mean a high price on carbon before it becomes competitive. But the International Energy Association argues that 15 per cent of all power produced in the world will have to be produced by power plants with carbon capture and storage either bolted on to the plant, or a new carbon and capture storage plant built with new power stations. So nowhere around the world are people saying we have to walk away from coal-fired power. What they are saying is there are huge problems with coal-fired power but we need to deal with those through technology and through research and development.

I am not sure what the Greens will say if the AEMO starts looking at the issue of carbon capture and storage. That would be a horror for them. But it is a practical thing that some of the major corporations around the world are looking at because without carbon capture and storage our steel and other industries that are reliant on carbon for processes will be in real trouble. I do not accept the pontification and the lecture that we get from the coalition.

The other issue is that the AEMO report says that 100 per cent renewable energy is possible—but at a cost. The estimated cost—and they said these are hypothetical costs because there is a range of costs that you would have to add on to it—in 2030 would be between $219 billion and $285 billion, and in 2050 from $252 billion to $332 billion.

The report also says one of the big issues is the distribution network. Spain—as every senator here would understand—is a much different nation to Australia in terms of where its cities are, how big the cities are, the small size of the country and where they can actually do this work. The big problem for us is we would have to run from some of the areas where we could actually get some of the thermal power capacity. We would have to have huge distribution networks and that has not been costed in to those figures that I indicated. I am not saying this to say why we should not do it. I am saying that these are the challenges that we have to face. I totally agree that climate change is real. But for us it is not like going from Malaga in the south of Spain up to Seville and up to Madrid where there are major centres, big cities with thermal power available. You just cannot do that in Australia so easily. The cost of transmission is much easier in Spain
because they can get some of the networks close to the big cities. The other issue, as outlined by the AEMO, is the cost of securing land to do all of this. What is the cost of biofuels? How much land do we need to get the biofuels?

I am a big supporter of doing something about climate change. I think it would have been much better if back in 2009 the ETS had been picked up by the Greens. They did not have their eye on a double dissolution. They did not have their eye on trying to get more seats in the Senate if a double dissolution came up. Because the ETS would have been in place, the arguments that we are still facing now about pricing carbon would have been long gone and we would have been on the road to making any changes we could have made because the public would have accepted that we were in this place. The Greens, because of a mixture of purity and political expedience, just ignored what was in the interests of the nation. I am not going to be lectured by the Greens on this. I do not think it is reasonable that the public should ignore some of the costs involved in moving to complete decarbonisation, what the job impacts are on complete decarbonisation and how we can bring the public with us. I think some sense from the Greens and less pontification and less purity would be good for this parliament.

Senator RUSTON (South Australia) (16:56): Senator Cameron, I have to pull you up on one point that you made earlier in your speech. You said that the Greens have the luxury of never having to govern. I beg to differ; I believe over the last 2½ years the Greens have had a huge role in governing this country. In fact, I do not think we would have a carbon tax had it not been for the Greens' interference in the policies of the Labor Party. Do not forget, it was your very leader who stood up and said: 'There will be no carbon tax under a government I lead,' and, as soon as she was in a minority government and required the Greens' support, all of a sudden we had a carbon tax. I raise that as a point of clarification on your comments.

Senator Ludlam, I agree with you: research and development is an extraordinarily important part of this country's future. It has played a hugely important role in this country over many, many decades. The fact that we are a very smart country has allowed us to keep a competitive advantage. So I hope that you support research and development in other areas, including agriculture and primary industries, to the same level that you support research and development continuing in the area of climate change.
What we are discussing here today is, basically, another broken promise by this government, made necessary by the total mismanagement of the budget. I am sure we would not see $100 million being taken out of the Australian Renewable Energy Agency had we had the budget surpluses that we have been promised over the last five years by the 'world's greatest Treasurer'. But it is somewhat ironic, and tremendously interesting, that it is actually the Greens who have brought this matter of public importance before us today. As I said before, it was the Greens who sided with the government on many of the decisions that have caused this budget to tumble into the terrible state that it is in today.

There would not be too many people in Australia who, over the long term, would suggest that renewable energy is not a desirable outcome for Australia and for the world. But what we cannot support is putting businesses out of business in this morally pure policy of moving immediately to it. I support Senator Cameron's comments in the sense that, if we want to try to achieve a green and clean economy, we have to do it with our economy still intact and not destroy it on the way.

The Greens need to take some responsibility for the MPI they have raised today and for the $100 million being taken out of this budget line. They are the ones who have sat in this place and supported a number of programs put forward by the Labor Party that have been a complete and utter disaster for the Australian public and the Australian budget. Obviously, the carbon tax is an absolutely classic example of the impact that an ill-designed tax can have on an economy. The fact is that domestic emissions have increased since it was brought in, and everybody now admits that carbon emissions are going to increase under this carbon tax between now and 2020. So we have to accept that this is not working, for all the reasons that have been stated before.

We have to look at the Home Insulation Program; it was scrapped. What a disaster that turned out to be. In fact, four people lost their lives through the bungling of the Home Insulation Program; 224 houses were burnt, while 70,000 required repair. This cost Australia $2.2 billion. Imagine what we could have done with $2.2 billion if we had been able to apply it to programs that were going to be of genuine benefit to Australia. Some of it might even have gone towards the development of a sustainable and ongoing renewable energy program for this country.

There are many examples. The citizens assembly was scrapped before it even started. There was cash for clunkers, the Green Car Innovation Fund—the list of things that have been put in place by this government, supposedly to assist in the process of dealing with whatever implications climate change may have for this country and for the world, that have failed goes on and on. The list of things that the government has put in place have delivered absolutely no outcome and, in the process, have damaged our budget to such a significant extent that all Australians are today absolutely terrified of thinking about what is likely to happen tonight when we go to the budget.

I also draw to the attention of the house the number of—I would say 'funny' if they were not so serious—crazy things that have expended taxpayers money in relation to the government's promotion of the carbon tax. Back in the middle of last year, the Labor government spent $69.5 million advertising the carbon tax. When they had already committed to implementing the carbon tax, why on earth did they then have to spend nearly $70 million of taxpayers' money
telling the electorate why they needed to have something they were going to get anyway? During Senate estimates last year, it was also revealed that the government spent $100,000 building fake kitchens for the television ads, when we know that, if you wanted to build an actual kitchen, you could probably put a really nice one in your house for about $15,000. Then there was the carbon cop—sorry, I should refer to it as Labor's Clean Energy Regulator. Because it had a bit of a bad image out there, the government spent $4.4 billion sprucing up its new offices.

These are the kinds of things that I think the Australian public are heartily sick of—when their cost of living is being attacked every single day and they realise that, in the name of the so-called carbon tax, which has been a complete debacle and has destroyed their way of life, we are spending money on stupid things, like $4.4 million to spruce up some offices.

Another classic example is that the government gave $93,000 to the ACTU so that it could teach its officials how to sell the carbon tax. Given that all of a sudden it was such a fundamental platform for the Labor government, one would have hoped that the officials understood what was so good about it. Then there was $600 million of Australia's foreign aid program spent on developing climate change leaders in the Pacific. Then, of course, there was the image makeover for the carbon cop, where we spent nearly half a million dollars on a public relations strategy so that they looked a bit better in the eyes of Australia. Julia Gillard had to admit that she had $660 worth of carbon tax payments in her Lodge bill, but I do not suppose she had to worry about that because of course the taxpayers of Australia pick up that tab.

Going back to the fact that it is the Greens who raised this matter of public importance, I note that $3 million worth of grants were paid to green groups so that they would support the 'say yes' campaign during the introduction of the carbon tax. To add insult to injury, the Auditor-General has revealed that key documents relating to $20 million in Energy Efficiency Information Grants have been destroyed. I wonder why they were destroyed! I will not pass any judgement on that, but I leave the house to ponder why anyone would need to destroy documentation relating to the allocation of grants. One can only hope that we get to the bottom of that.

But the main reason we have this MPI before us today, no matter who proposed it, is simply that our budget is in such a terrible, terrible state. Think about all the money we could have saved from these bungled programs, these useless things that we so did not need to have—all the silly money that has been spent by the government on trying to sell something just to make themselves look better. For example, they spent $2.2 billion on rectifying the pink batts situation. If they had spent that money on real programs that the Australian public wanted and needed, they would probably have had some money for the Gonski education reforms, they would not have had to put on a levy to pay for the NDIS and they might have been able to implement a dental scheme.

The thing that annoys me more than anything else is that we have spent all this money on those programs while people in rural and regional Australia are screaming out for infrastructure projects. They are screaming out for their roads to be upgraded. They are screaming out for access to services that people in the city take for granted. People in the country do not get the same level of connectivity for their communications. Businesses in the country do not get access to full amounts of power to be able to run their businesses. So it makes
me very cross to see how much money has been wasted when there are so many worthy projects out there in the country.

Finally, I think the most important thing that we should be doing right now with the money is not worrying about all these little programs but relieving the cost of living for all Australians.

The ACTING DEPUTY PRESIDENT (Senator Boyce): Order! The time for the discussion has expired.

DOCUMENTS

Tabling

The ACTING DEPUTY PRESIDENT (Senator Boyce) (17:06): I present documents listed on today's Order of Business at item 16 which were presented to the President, Deputy President and temporary chairs of committees after the Senate adjourned on 21 March 2013.

The list read as follows—

Committee reports

1. Rural and Regional Affairs and Transport Legislation Committee—Report, together with the Hansard record of proceedings and documents presented to the committee—Competition and Consumer Amendment (Australian Food Labelling) Bill 2012 (No. 2).


7. Community Affairs References Committee—Supply of chemotherapy drugs—Interim report. Report, together with the Hansard record of proceedings, documents presented to the committee, additional information and submissions.

8. Rural and Regional Affairs and Transport Legislation Committee—Report, together with the Hansard record of proceedings and documents presented to the committee—Performance of the Department of Agriculture, Fisheries and Forestry and agencies (live animal export arrangements).


10. Rural and Regional Affairs and Transport References Committee—Interim report—Auditor-General’s reports nos 26 of 2007-08 and 22 of 2012-13 in relation to the Tasmanian forest industry.


12. Rural and Regional Affairs and Transport References Committee—Interim report—Aviation accident investigation.

13. Economics References Committee—Report, together with the Hansard record of proceedings, documents presented to the committee, additional information and submissions—Development and operation of the Minerals Resource Rent Tax.


15. Finance and Public Administration References Committee—Interim report—Implementation of the 1999 recommendations of
the Joint Expert Technical Advisory Committee on Antibiotic Resistance.


18. Environment and Communications Legislation Committee—Report, together with the Hansard record of proceedings, documents presented to the committee, additional information and submissions—Environment Protection and Biodiversity Conservation Amendment Bill 2013 [Provisions]

**Government responses to parliamentary committee reports**


**Government documents**

1. Commonwealth Fisheries Review—Statement by the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig).


10. Australian Film, Television and Radio School (AFTRS)—Report for 2011-12—Correction.

11. Commonwealth Ombudsman’s reports on inspections of surveillance device records for the period 1 July to 31 December 2012—Australian Crime Commission and Australian Federal Police for the period 1 July to 31 December 2012—Victoria Police for the period 1 July 2011 to 30 June 2012.


13. Department of Finance and Deregulation—Campaign advertising by Australian government departments and agencies—Report for the period 1 July to 31 December 2012.

**Reports of the Auditor-General**


6. Report no. 32 of 2012-13—Performance audit—Grants for the construction of the Adelaide Desalination Plant: Department of Sustainability, Environment, Water, Population and Communities; Department of Finance and Deregulation; Department of the Prime Minister and Cabinet.

Return to order

Primary Industries—Fisheries management legislation review—Order for the production of document—Document (motion of Senator Siewert agreed to 20 March 2013)

Statement of compliance and letters of advice relating to Senate orders:
1. Statement of compliance relating to indexed lists of files:

Australian Government response to the Parliamentary Joint Committee on Corporations and Financial Services report:
Inquiry into the Collapse of Trio Capital
APRIL 2013
Government Response to the Parliamentary Joint Committee on Corporations and Financial Services' Inquiry into the collapse of Trio Capital

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<td>Recommendation 1(a):</td>
<td>The Government accepts the recommendation The Government will consult on:</td>
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<td>The committee acknowledges the shortcomings, identified by Mr Richard St. John, of a statutory compensation scheme for consumers of financial services, and a scheme of financial assistance for investors in managed investment schemes along the lines of Part 23 of the Superannuation Industry (Supervision) Act 1993 (SIS Act). However, the committee recommends that further efforts be made to investigate avenues to protect investors in the case of theft and fraud by a managed investment scheme.</td>
<td>* changes to the Corporations Law to strengthen the professional indemnity insurance requirements of providers of financial services (see response to Recommendation 2.1 of St. John report). The changes would:</td>
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<td>– give legislative force to key aspects of ASIC standards of adequacy for professional indemnity insurance such as the scope of cover, policy exclusions and coverage of representatives;</td>
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<td>– require licensees to report annually to ASIC, as part of their financial reporting requirements, on the adequacy of their professional indemnity insurance cover.</td>
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<td>– risk management processes by a responsible entity of a registered managed investment scheme that deal explicitly with the risk of fraud.</td>
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| **Recommendation 1(b):**  
The committee recommends that the government assist those who invested in the Professional Pensions Pooled Superannuation Trust (PPPST), and were induced to move their funds to the ARP Growth Fund. | This will be included in a consultation paper on improved governance arrangements for a responsible entity of a registered managed investment scheme which will respond to several recommendations of this report. The consultation paper will have regard to related Stronger Super reforms, for example, in relation to dual regulated entities. |
| **Recommendation 2:**  
The committee recommends that consideration be given to improving the active detection of investment fraud through systems that can identify 'outlying' patterns in investment performance. To this end, the committee encourages partnerships between the regulators and experts in the private sector. | The Government notes the recommendation  
- Part 23 of the SIS Act excludes self-managed superannuation funds (SMSFs) from compensation as they are not regulated by the Australian Prudential Regulation Authority (APRA). This exclusion applies regardless of whether they invested in the PPPST. |
| **Recommendation 3:**  
The committee recommends that the Australian Taxation Office (ATO) include a clear, understandable, large print warning on its website that SMSF trustees are not covered in the event of theft and fraud. This warning must be effectively communicated to all existing SMSF trustees through the guidance material of the Australian Securities and Investments Commission (ASIC). | The Government accepts the recommendation  
- The ATO has updated its website indicating that SMSF trustees do not have the same access to compensation as APRA-regulated funds in the event of theft or fraud.  
- ASIC has also updated its MoneySmart website material on SMSFs to warn consumers about access to compensation. |
| **Recommendation 4:**  
The committee recommends that the guidance material provided by the ATO for SMSF investors clearly state the difference between the protections and compensation arrangements for investors in funds regulated by APRA as distinct from the limited protections available to SMSF investors. | The Government accepts the recommendation  
- The ATO will seek to amend its registration process to add additional warnings that SMSF members are not eligible for compensation.  
- ASIC will also consult on requiring advisers, on the establishment of SMSFs, to advise clients that they do not have access to compensation arrangements under the SIS Act. |
| **Recommendation 5:**  
The committee acknowledges the Future of Financial Advice reforms, particularly the provisions addressing conflicted remuneration. Nonetheless, it recommends that ASIC conduct a specific and detailed investigation of both | The Government accepts the recommendation  
- ASIC has already undertaken a detailed and specific risk-based investigation of people who provided financial advice relating to Trio. |
planners' and accountants' advice to SMSF investors in Trio Capital. This investigation must examine what information was provided to these investors regarding their duties and responsibilities, and whether they were informed—either verbally or in writing—that they are not entitled to compensation in the event of theft and fraud.

**Recommendation 6:**
The committee recommends that the Government consider whether current processes are adequate when there is a change of ownership or control of a company which holds an Australian Financial Services Licence (AFSL), or whether there is a need for more detailed scrutiny of the new owner.

The Government accepts the recommendation

- The Government will consult on whether ASIC should have more powers when an AFSL holder changes ownership. Currently, ASIC's powers to cancel an AFSL are limited. This can allow industry entry to a person who would have failed the 'good fame and character' licensing test if they had sought the licence directly.
- As part of the same process, the Government will also consult industry on APRA's powers for licensing superannuation funds. An internal review concluded that APRA's powers to approve or refuse a change in superannuation fund ownership were limited (see response to Recommendation 13).

**Recommendation 7:**
The committee recommends that the Government investigate options to improve the oversight and operation of compliance plans and compliance committees. The committee suggested a number of improvements that could be made including the detail to be included in the plans, qualitative standards and approval processes for auditors, director liabilities and competence of compliance committee members.

The Government accepts the recommendation

- The Government will consult on ways to enhance compliance processes including considering the need for more detailed compliance plans, legislating minimum requirements (such as experience and qualifications), qualitative standards for compliance plan auditors and oversight of the appointment of compliance committee members. This will be included as part of consultation on improved governance arrangements for a responsible entity of a registered managed investment scheme which will respond to several recommendations of this report.

**Recommendation 8:**
The committee recommends that as part of its review of regulatory arrangements relating to custodians, ASIC should consider changing the name 'custodian' to a term that better reflects the current role of a custodian. This new term—reflecting the limited role of custodians—must be used in Product Disclosure Statements.

The Government accepts the recommendation

- ASIC has released a consultation paper about the use of the label custodian and its use within disclosure documents. This work will be progressed in the context of ASIC's recently released report into custodian services in Australia.
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<td><strong>Recommendation 9:</strong> The committee recommends that the government release a consultation paper to investigate the best mechanism for a responsible entity of a registered managed investment scheme to disclose its scheme assets at the asset level. The objective must be to enable scheme members to legally require specific information on the portfolio holdings of the registered managed investment schemes in which they have invested.</td>
<td>The Government accepts the recommendation • The Government will consult on the disclosure of managed investment scheme assets, having regard to the Stronger Super reforms on portfolio holdings disclosure by superannuation funds. This will be included as part of consultation paper on improved governance arrangements for a responsible entity of a registered managed investment scheme which will respond to several recommendations of this report.</td>
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<td><strong>Recommendation 10:</strong> The committee recommends that ASIC provide all necessary funding for PPB Advisory to pursue its investigation to a full conclusion, including where necessary conducting examinations on oath of figures such as Mr Jack Flader and others it considers necessary as part of the investigation. The committee recommends that ASIC fund the phase 2 investigation by PPB Advisory as a matter of urgency.</td>
<td>The Government accepts the recommendation • ASIC has provided the funding requested by PPB Advisory in accordance with the rules of the Assetless Administration Fund (AA Fund). ASIC will consider any future requests it receives for funding from PPB Advisory in accordance with the rules of the AA Fund.</td>
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<td><strong>Recommendation 11:</strong> The committee recommends that the Australian Federal Police, in cooperation with ASIC and APRA, pursue criminal investigations into—and, where applicable, criminal sanctions against—the key figures responsible for defrauding investors in Trio as a matter of high priority.</td>
<td>The Government notes the recommendation • The Government notes this recommendation as the decision to investigate possible criminal offences is a matter for the Australian Federal Police. ASIC is cooperating with, and providing relevant information to, the Australian Federal Police. It is not appropriate to discuss the content of that information or the likely outcome of any possible AFP assessment.</td>
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<td><strong>Recommendation 12:</strong> The committee recommends that the government investigate the options for a scheme to recover assets from those found to be personally involved in fraud and theft, with the proceeds to go to those found to have been defrauded.</td>
<td>The Government accepts the recommendation • The Government will task the Heads of Commonwealth Operational Law Enforcement Agencies to consider the matters raised in this recommendation.</td>
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<td><strong>Recommendation 13:</strong> The committee recommends that APRA conduct an internal assessment of the adequacy and timeliness of its checks to monitor the ownership of superannuation vehicles. This process must review why key 'trigger points' in events that led to the collapse of Trio Capital were not identified.</td>
<td>The Government accepts the recommendation • APRA has undertaken an internal review of the adequacy and timeliness of its checks to monitor the ownership of superannuation entities following the collapse of Trio. The Government's Stronger Super reforms strengthen APRA's ability to address emerging issues within superannuation through providing APRA with the ability to issue prudential standards and broader data collection powers. The internal review...</td>
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Recommendation 14:
The committee recommends that the Australian Federal Police consider the options to create an organisational focus on the matters pertaining to superannuation fraud. This should occur in close consultation with the Australian Crime Commission given its work in coordinating Task Force Galilee.

The Government accepts the recommendation

The Government will also release a paper by the Treasury in relation to the Trio Capital fraud and an assessment of the regulatory framework.

The Government will also consult industry on APRA's powers for licensing superannuation funds.

- The Government will task the Heads of Commonwealth Operational Law Enforcement Agencies to consider opportunities to enhance fraud detection capabilities.

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Australian Government response to the Parliamentary Joint Select Committee on Gambling Reform report:
The prevention and treatment of problem gambling
[May 2013]

Government Response

Joint Select Committee on Gambling Reform

Third Report: The Prevention and Treatment of Problem Gambling
The Australian Government welcomes this report and recognises the important ongoing work of the Joint Select Committee on Gambling Reform.

The Government is committed to taking action to reduce the harm caused by problem gambling and acknowledges that research can play a prominent role in informing future policy and programs and provide lessons learnt through evaluation.

Since the Committee's report was released, the Government has, through the National Gambling Reform Act (2012), established the Australian Gambling Research Centre (AGRC) from July 2013.

The AGRC will be an independent research body, housed in the Australian Institute for Family Studies (AIFS), which will provide greater insight into problem gambling through the provision of a comprehensive and forward thinking research and evidence program.

The AGRC will be supported by an independent Expert Advisory Group on Gambling, which will provide advice to the Director of AIFS in relation to strategic directions and research plans and programs into gambling and strategies to increase the capability and capacity of researchers.

Response to the Joint Select Committee's Report
The Government agrees or agrees in-principle to many of the recommendations made by the Committee.

The Government acknowledges that the Committee has made several recommendations which involve conducting or commissioning research. The Government has a strong history of funding problem
gambling research which is consistent with the ongoing approach to evidence based policy, and has previously funded research into topics which relate to the areas highlighted by the Committee. The new AGRC will be the first ever dedicated national body for gambling research. Many of the Committee's recommendation could be relevant to the work of the AGRC and the Committee's report will be provided to the AGRC when established to inform their consideration of their forward work agenda.

The Australian Government recognises that the Committee has also made recommendations in areas which state and territory governments have primary responsibility or where joint effort is required. These recommendations will require further consultation with jurisdictions.

### Government Response to the Joint Select Committee on Gambling Reform
Prevention and Treatment of Problem Gambling

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<td><strong>Rec 1:</strong> The committee emphasises the importance of jurisdictions ensuring appropriate performance targets are developed, and that ongoing monitoring and appropriate evaluation of individual initiatives is undertaken to build the evidence base for effective measures to address problem gambling. The committee recommends jurisdictions report to COAG each year on progress against the National Framework for Problem Gambling and that the reporting include key performance targets and evaluation information.</td>
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<td><strong>Agree in-principle.</strong> The Australian Government will develop appropriate performance measures for its programs to address problem gambling. Initiatives under the National Gambling Reform Act 2012 will also be subject to review by the Productivity Commission in September 2014. The Government notes that there is not currently a National Framework on Problem Gambling. The Australian Government will discuss this issue further with state and territory governments.</td>
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**Rec 2:** The committee recommends that the Commonwealth Government:  
- designate gambling as a National Health Priority Area to be funded for research under the auspices of the National Health and Medical Research Council; and  
- recognise gambling as an ‘associated priority goal’ under the Commonwealth Government's National Research Priority of ‘promoting and maintaining good health’, enabling funding support for gambling research to be provided by the Australian Research Council.

**Agree in-principle.** The Government supports objectives to enhance funding and improve capabilities to conduct research on problem gambling. Through the National Gambling Reform Act 2012, the Government has established the Australian Gambling Research Centre (AGRC) to enhance national gambling research.

**Rec 3:** The committee recommends that the Department of Families, Housing, Community Services and Indigenous Affairs Problem Gambling Taskforce commission research on the complex causes and consequences of stigma and the most effective way to address and reduce the stigma associated with problem gambling. States could then draw on this work to develop strategies to address stigma and include appropriate messages in their own social marketing campaigns.

**Agree in-principle.** The Government acknowledges that the stigma associated with problem gambling can have negative consequences. Research which relates to this recommendation has already been conducted by Gambling Research Australian (GRA), including: Gamblers at Risk and their Help Seeking Behaviour (2011), and Problem Gambling and Harm: Towards a National Definition (2005).
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<td>The Government is also conducting a trial project which aims to reduce the stigma of problem gambling by supporting former problem gamblers or people affected by problem gambling to talk about their experiences at community awareness sessions. Findings from this project will be used to further explore the causes and consequences of stigma and how this can be reduced or mitigated. Further research into the causes and consequences of stigma may be conducted by the AGRC. The Government will continue to support and monitor this research.</td>
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Rec 4:  
The committee recommends that gambling social marketing strategies, particularly those claiming to address stigma, are thoroughly market researched prior to launch and evaluated to determine effectiveness and any unintended consequences.

**Agree.**  
The Government considers that thorough market research prior to the commencement of any marketing campaigns is an appropriate, best-practice approach. The Government also supports the evaluation of social marketing strategies to address problem gambling.

Rec 5:  
The committee recommends that as part of strengthening self-exclusion arrangements, governments, through the COAG Select Council on Gambling Reform, work with industry towards jurisdiction-wide venue exclusion as well as legislative changes which mean that prizes won by people in breach of self-exclusion orders should be forfeited to government revenue as recommended by the Productivity Commission.

**Matter for jurisdictional consultation.**  
The Australian Government considers that self-exclusion can be an important tool to support problem gamblers and their families and has committed to work with state and territory governments to strengthen self-exclusion arrangements. The National Gambling Reform Act 2012 also provides for self-exclusion to be available through the pre-commitment system that will be rolled-out across Australia from 2018. This will allow players to choose to self-exclude anonymously on a jurisdiction-wide basis.

Rec 6:  
The committee recommends that the Department of Families, Housing, Community Services and Indigenous Affairs, in consultation with the financial sector, commission further research on ways to progress practical measures that could be put in place by the financial sector to assist people with gambling problems and their families.

**For consideration by the AGRC**  
Further research into this topic may be conducted by the AGRC.

Rec 7:  
The committee recommends that the Department of Families, Housing, Community Services and Indigenous Affairs undertake further research on the impact of comorbidities on problem gambling.

**Agree in-principle.**  
The Government recognises the importance of co-morbidities on the development and treatment of problem gambling and has a long history of funding research on this issue.
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<td>Research which relates to this recommendation has already been conducted by GRA, most recently through a publication of <em>Gambling and Comorbid Disorders</em> (February, 2013). Further research into this topic may be conducted by the AGRC.</td>
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**Rec 8:**
The committee recommends that the Commonwealth Government fund the establishment of a national helpline, similar to the Drug and Alcohol Clinical Advisory Service, as a practical resource for primary health care professionals to assist them to identify and refer patients who present with gambling problems.

**Not agreed.**
The provision of problem gambling treatment and referral services is a responsibility of state and territory governments and is generally funded from gambling-related revenue collected by these governments.
The Australian Government contributes to Gambling Help Online which provides online counselling across Australia 24 hours a day/seven days a week and also provides people with information on gambling issues, crisis support, self-help advice and referrals.

**Agree.**
The *National Gambling Reform Act 2012* establishes the AGRC, a new independent research body that is responsible for developing a nationally consistent research agenda. This is consistent with the Productivity Commission's recommendations.
The AGRC will be located within the Australian Institute of Family Studies (AIFS).
Establishing the AGRC within AIFS ensures an independence from the Government whilst providing the support of an experienced and highly capable research organisation.
The AGRC will be funded by the Australian Government, with approximately $1.5 million allocated per annum, commencing in July 2013.

**Agree in-principle.**
The Government supports methods to promote transparency in research and this matter will be considered by the AGRC.
Commitment of other jurisdictions to this recommendation is a matter for jurisdictional consideration.
Rec 11:
The committee recommends that the COAG Select Council on Gambling Reform work to establish a national minimum dataset on gambling, in line with the Productivity Commission’s recommendation. The dataset should be made publicly available.

Matter for jurisdictional consultation.
The Australian Government will discuss this issue further with state and territory governments.

Rec 12:
The committee recommends that the COAG Select Council on Gambling Reform establish agreed parameters around the collection by governments of a basic level of nationally consistent industry data on gambling.

Matter for jurisdictional consultation.
The Australian Government will discuss this issue further with state and territory governments.

Rec 13:
The committee recommends that the COAG Select Council on Gambling Reform work collaboratively with gambling treatment providers and relevant health professional bodies to build appropriate evaluation measures and benchmarking practices into gambling treatment services.

Matter for jurisdictional consultation.
The Australian Government will discuss this issue further with state and territory governments.

Recommendation by the Chair and Senators Xenophon, Di Natale and Madigan

Rec 1:
That the Government cap the number of poker machines nationally and that the Department of Families, Housing, Community Services and Indigenous Affairs investigate a means for national capping the number of poker machines.

Disagree.
Each jurisdiction already has a cap on the number of poker machines. This is a responsibility of state and territory governments. The Productivity Commission, in its 2010 inquiry report, found that tougher caps have mainly led to higher utilisation of the remaining stock of gaming machines, without affecting overall spending.

Rec 2:
That the Problem Gambling Taskforce with the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs commission work by an independent individual/organisation to further investigate a legislated duty of care for venues. This work would draw on international examples, discuss and weigh up the obstacles, benefits and costs and be reported to the COAG Select Council on Gambling Reform and be made public.

For consideration by the AGRC.
The Government recognises that staff in pubs and clubs play a critical role in identifying and supporting problem gamblers to seek help. The role of these staff will be even more important under the National Gambling Reform Act 2012 pre-commitment system. The Australian Government is committed to working with the states and territories to review and update responsible gambling training in all jurisdictions. Further research into this topic may be conducted by the AGRC.
Recommendation | Government Response
--- | ---
Rec 3: That an appropriately resourced research facility initiate a study into the possible link between Effexor-XR and the onset of problem gambling. | For consideration by the AGRC. Future research into this topic may be conducted by the AGRC.

Ordered that the committee reports be printed.

**COMMITTEES**

**Environment and Communications Legislation Committee**

**Rural and Regional Affairs and Transport References Committee**

**Finance and Public Administration References Committee**

**Finance and Public Administration Legislation Committee**

**Reporting Date**

**Senator POLLEY** (Tasmania—Deputy Government Whip in the Senate) (17:07): by leave—I move:

That the time for the presentation of the final reports of the:

(a) Environment and Communications Legislation Committee on its inquiry into the Broadcasting Services Amendment (Material of Local Significance) Bill 2013 and the delivery of news coverage in rural and regional areas by the Australian Broadcasting Corporation be extended to 20 June 2013;

(b) Rural and Regional Affairs and Transport References Committee on its inquiry into Auditor-General’s reports no 26 of 2007-08 and 22 of 2012-13 in relation to the Tasmanian forestry industry be extended to 11 June 2013;

(c) Rural and Regional Affairs and Transport References Committee on its inquiry into an aviation accident investigation be extended to 23 May 2013; and

(d) Finance and Public Administration References Committee on its inquiry into the implementation of the 1999 recommendations of the Joint Expert Technical Advisory Committee on Antibiotic Resistance be extended to 24 May 2013.

Question agreed to.

**Consideration**

**Senator POLLEY** (Tasmania—Deputy Government Whip in the Senate) (17:08): by leave—I move:

That consideration of committee reports and government responses be listed on the **Notice Paper** as separate orders of the day.

Question agreed to.

**DOCUMENTS**

**Tabling**

**The ACTING DEPUTY PRESIDENT** (Senator Boyce) (17:09): I present responses to the following resolutions of the Senate:

The list read as follows—

ACT Attorney-General (Mr Corbell) to a resolution of the Senate of 22 November 2012 concerning conviction records

Attorney-General (Mr Dreyfus) to a resolution of the Senate of 6 February 2013 concerning legal services

Victorian Minister for Police and Emergency Services and Minister for Bushfire Response (Mr Wells) to a resolution of the Senate of 7 February 2013 concerning the Country Fire Authority

Premier of Queensland (Mr Newman) and the Premier of South Australia (Mr Weatherill) to a resolution of the Senate of 27 February 2013 concerning Lake Eyre

Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) to a resolution of the Senate of 28 February 2013 concerning
Australian Quarantine and Inspection Service licence fees

Premier of South Australia (Mr Weatherill) to a resolution of the Senate of 13 March 2013 concerning the container deposit scheme in the Northern Territory

Monsignor Luis-Miguel Munoz Cardaba, Charge d’affaires a.i. to a resolution of the Senate of 19 March 2013 concerning the Roman Catholic Pontiff

Rear Admiral Ken Doolan, AO, RAN (Ret’d) to a resolution of the Senate of 20 March 2013 concerning Australian peacekeepers

Minister for Foreign Affairs (Senator Bob Carr) to a resolution of the Senate of 21 March 2013 concerning Sri Lanka

Chief of Staff to the Minister for Families, Community Services and Indigenous Affairs (Ms McKenzie) to a resolution of the Senate of 21 March 2013 concerning National Close the Gap Day

Minister for Community Services (Ms Collins) to a resolution of the Senate of 21 March 2013 concerning a grandcarers support scheme

Minister for Families, Community Services and Indigenous Affairs (Ms Macklin) to a resolution of the Senate of 21 March 2013 concerning World Down Syndrome Day

COMMITTEES

Cyber-Safety Committee

Report

Senator BILYK (Tasmania) (17:10): I seek leave to speak to the Joint Select Committee on Cyber Safety—second interim report—Cybersafety for seniors: a worthwhile journey.

Leave granted.

Senator BILYK: I move:

That the Senate take note of the report.

As Chair of the Joint Select Committee on Cyber-Safety, I want to speak to the report of the committee’s inquiry into cyber-safety and senior Australians. While the act of exploring the unknowns of the internet is one that many seniors are reluctant to take, it is the conclusion of this committee that it is a worthwhile journey for them to embark upon. The internet provides opportunities for all seniors, no matter their age. And, while the speed of the information technology revolution has meant that many older Australians have found themselves on the wrong side of the digital divide, seniors should not let concerns about cybercrime, or unfamiliarity with technology, stop them from learning the skills required to being active online.

With an increasing trend of business and government services being available online, we need to help every senior Australian become active online so that they can reap the benefits of the new technologies. While there are many seniors who are active online, who may have gained their skills working with computers, there are also a large number of seniors who did not and who fear for their cyber-safety. However, education is the means by which they can overcome that fear.

Evidence was taken during the inquiry showing that education and training is the key to helping seniors move into the cyber-world with confidence and skill. The committee found across the nation that public libraries and various seniors organisations are doing excellent work teaching seniors about cyber-safety. Several seniors groups and representatives from the public libraries addressed the committee at public hearings, and I would like to thank them for their evidence. Some of these groups told the committee that they cannot meet existing demand from seniors for cyber-safety training due to lack of resources but with increased funding they could do more training.

The Australian Federal Police told the committee that cybercrime targets everyone,
and even cyber-savvy people can become victims, so it is up to each individual to take the same degree of responsibility for their own actions when online as they do in everyday life. The AFP said that keeping seniors cyber-safe requires a multifaceted approach combining the right mix of law enforcement, policy, legislation, education and also some level of user vigilance.

The inquiry also found that access to the internet was a barrier for some seniors, particularly those who are housebound or who live on low incomes in remote places. Those living in metropolitan areas and larger regional centres who do not have an internet connection in their home can generally find free access to the internet in public libraries and various seniors clubs. The Broadband for Seniors kiosks are in community centres, retirement villages, libraries and senior citizens clubs across Australia. The committee has recommended that this worthwhile initiative could benefit from much wider publicity. The committee also found that when seniors experience cybercrime there is often confusion about how to report the crime, and therefore the committee recommended that a centralised user-friendly reporting and cyber-safety awareness portal should be developed with links to relevant regulators. The site should feature a dedicated seniors reporting tab, backed up by a telephone service which links individuals to appropriate victim support, training and other advice.

The committee is pleased to see that the government has recently launched a seniors helpline under its Broadband for Seniors initiative but believes that there would be merit in centralising reporting and support mechanisms for all cybercrime victims who need support or advice. The committee also recommended that cyber-awareness campaigns using clear and practical messages about cyber-safety could feature on the cyber-safety awareness portal. Another recommendation of the committee was to establish a consultative working group, with wide stakeholder representation to coordinate and promote government and industry partnerships and initiatives in support of a healthy and secure online environment. In total, the committee made 13 recommendations in its report and committee members believe that the adoption of the recommendations would greatly improve cyber-safety for seniors in Australia.

I would like to express my thanks to my colleagues on the committee, from across all parties in both the Senate and the other place, and especially to the Deputy Chair from the other place, as well as to the secretariat for the enthusiasm and dedication they have shown to this inquiry. I am pleased that we were able to work together to produce a unanimous report involving this important situation. I commend the report to the Senate. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

DOCUMENTS

National Close the Gap Day

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:15): I seek leave to move a motion in relation to the response by the Chief of Staff to the Minister for Families, Community Services and Indigenous Affairs to the motion on National Close the Gap Day.

Leave granted.

Senator SIEWERT: I move:

That the Senate note the document.

To remind the chamber, this was a motion that the chamber passed on 21 March that recognised that National Close the Gap Day and in particular made a firm commitment to the Closing the Gap campaign statement of
intent as the blueprint of action to close the health equality gap. That statement, I will remind people, was signed in 2008 and committed Australians, both Aboriginal and non-Aboriginal, to work together to achieve equality in health status and life expectancy between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians by the year 2030. That commitment also shared a determination to close the fundamental divide between the health outcomes and life expectancy of Aboriginal and Torres Strait Islanders and non-Aboriginal people, which we know was around 17 years. In places around Australia that 17-year gap in life expectancy still exists, so we still have a long way to go. Unfortunately, the national partnership agreement on Indigenous health expires in about six weeks at the end of this financial year. We need to ensure that that is re-funded to ensure that these gaps in life expectancy and health outcomes for Aboriginal and Torres Strait Islanders are closed by the year 2030.

Unfortunately, we are still seeing many gaps in the delivery of appropriate health services to Aboriginal and Torres Strait Islanders. I will go to a commitment that this government made a couple of years ago to work on dialysis. I have spoken in this place on the need to address end-stage kidney disease and the growing need for dialysis, particularly in Central Australia and the tri-state area between Western Australia, South Australia and the Northern Territory. I was over the moon when the government announced that they would commit $13 million to more accommodation and more support for dialysis in Central Australia. It seems to me in looking at the work that has been done on dialysis that it has been two steps forward and one step back. While we have had more chairs provided around Australia for dialysis, unfortunately when we looked at this in estimates we found that $3 million of that commitment of $13 million had already been returned unspent. So that money that was committed did not deliver the dialysis support, chairs and accommodation for those dialysis patients in Central Australia. There is a very real concern now hanging over the other $10 million and whether that is actually going to be delivered. That is what I mean about it sometimes being two steps forward and one step back. We need to be serious about addressing health outcomes, which is why we need a commitment from not only the Commonwealth but also state and territory governments.

We also heard in the past that there were agreements in the tri-state area between my home state of Western Australia, South Australia and the Northern Territory around how to deliver these services. We heard at estimates, that those agreements are falling apart. We have had two steps forward and one step back with them failing to reach an agreement about how those services will be delivered. So we will return to that farcical situation where Aboriginal people who are living in the north of Western Australia potentially will have to, for example, go to Perth and people in Central Australia and South Australia will have to go to Adelaide to receive services rather than the closer centre of, for example, Alice Springs. I was devastated when I was sitting in estimates and was told that the progress that had been made was stalling. I urge the government to address those really important issues.

One of the other issues that I have addressed strongly in this place is Aboriginal ear health and the issue around otitis media. Otitis media is in pandemic proportions in many Aboriginal communities. I have explained on many occasions the link between otitis media and poor hearing health for Aboriginal and Torres Strait Islander
peoples and the need to address that. There is a need to identify that hearing loss and to provide early intervention programs that enable children to catch up on the language skills that are needed to enable them to engage in school and the education system. The links have been clearly shown between poor hearing health and the number of people, Aboriginal people in particular, in our justice system, both in our adult justice system and in our juvenile justice system. The links are clearly there.

Of course, you can then draw a link to the social determinants of health, which is why under these programs we also need to be clearly addressing the social determinants of health. The Senate Community Affairs References Committee earlier this year tabled our report into the social determinants of health and implementation of those in Australia and made a series of recommendations. I am greatly looking forward to the government's response to that report because, if we are going to address Aboriginal health and life expectancy outcomes, it is essential that we are also addressing the social determinants of health.

As I conclude—because I know there are other people who want to speak on a large number of responses of the government to the motions that went through the chamber before the break—I want to say that we are looking for the government to be making more announcements today in the budget about how they are going to fulfil the commitments they have made to close the gap for Aboriginal and Torres Strait Islander people in life expectancy and health outcomes. We know this is a long-term problem. We know we have to have sustained investment if we are going to achieve that objective by the year 2030. It is an objective that everybody shares. If we are going to do that, we need to make sure that we commit on an ongoing basis to these essential funding programs and not be funding them so that organisations are constantly wondering whether they are going to get re-funded. We also need to see that being delivered through the National Aboriginal and Torres Strait Islander Health Plan.

I am looking forward to at least a little bit of positive news in terms of being able to support these commitments, which have been made across the board. It can only be delivered if that funding is delivered to appropriate programs, which is largely through community-controlled health organisations.

I note that the response the chamber received from Minister Macklin's office said I needed to ask Warren Snowdon, as he is the Minister for Indigenous, Rural and Regional Health. I must admit I would have expected a bit better from Minister Macklin, given that she has ultimate responsibility for Indigenous affairs. I would have thought she would have been able to engage with this a bit more, particularly as it is essential that social determinants of health are addressed. It goes back to her portfolio. She cannot write it off by saying, 'This is actually the responsibility of the Minister for Indigenous, Rural and Regional Health,' when key parts of her portfolio are absolutely essentially to delivering Closing the Gap.

Question agreed to.

**Peacekeepers**

Senator WRIGHT (South Australia) (17:24): by leave—I move:

That the Senate take note of the response of Rear Admiral Ken Doolan, chairman of the Australian War Memorial Council, to the Senate motion of 20 March 2013 in relation to Australian Peacekeepers.

Peacekeepers have been proudly representing Australia in conflict zones since 1947, when four Australians went to
Indonesia, as part of the UN Good Offices Commission in Dutch East Indies, to assist with the transition from Dutch colonial rule. Since then, more than 66,000 Australians have been involved in over 60 United Nations and multinational peacemaking and peacekeeping operations in support of global peace and security. It is a proud record. These postings have included the Iran-Iraq border, in the lead up to the first Gulf War; Western Sahara; Papua New Guinea, at the height of the civil war in Bougainville; Rwanda; and Kosovo, among many others. Again, those names of conflicts and conflict zones often evoke understandings of some horror.

Peacekeepers and peacemakers are regular members of the Australian Defence Force, members of the Army Reserve or members of the Australian Federal Police. All three services have made a fine contribution. Contrary to what the name suggests, peacekeepers are most needed where peace is most tenuous. They walk a delicate line, trying to keep warring factions apart and protect civilians, while exercising enormous restraint under strict rules of engagement which only allow them to use their weapons in very limited circumstances. It has been likened to trying to manage in a conflict zone with one arm tied behind your back. It is a fraught and dangerous business and the risk of conflict or danger is never far away.

Since 1947, 48 members of our Australian Defence Force have died while serving as peacekeepers for Australia. Although they died whilst deployed on peacekeeping, humanitarian and disaster relief operations, up until now their names were not recorded on the honour roll reserved for other ADF deaths. Peacekeepers and their families felt this deeply. The lack of recognition made them feel their service was not valued. Indeed, the families felt that their loved one's deaths was rendered meaningless.

But this has now changed. This year, after a long campaign by the Australian Peacekeeper & Peacemaker Veterans' Association—the APPVA—and the families of those who have died, the Australian War Memorial Council made the historic decision to allow ADF peacekeepers' names to be listed on the honour roll. As Rear Admiral Doolan's response states:

This decision reflects the changing nature of modern military operations and wider community perspective. There is no doubt that the role of peacekeepers and peacemakers will become increasingly important in minimising global conflict and maintaining peace this century. I commend the Australian War Memorial Council for recognising that times have changed and for being willing to respond to that change to bring about a just outcome.

Soon, those families will be able to find on the Australian War Memorial roll of honour the names of the 48 peacekeepers who have died and leave a poppy in remembrance. The Australian Greens have been very privileged to be part of this campaign. From the time I was first approached by the APPVA, it struck me as only fair and right to properly recognise the honourable and important work our peacekeepers do on our behalf. They do us proud.

When it comes to members of the Australian Defence Forces, I have a simple philosophy: if we are willing to ask people to serve and take risks on our behalf, then we must take full responsibility for that as a parliament, as a government and as a country. We must acknowledge their service properly, take full responsibility for what we ask of them and look after them and their families if they are injured or killed. When we fittingly reflect on the sacrifices that so many have made for our country in the field of war, it is very important that we also
honour those who have died in the pursuit of peace.
Question agreed to.

**Fires and Floods**

**Senator BACK** (Western Australia—Deputy Opposition Whip in the Senate) (17:29): by leave—I move:

That the Senate take note of the response by the Victorian Minister for Police and Emergency Services and Minister for Bushfire Response, Mr Wells, on the Country Fire Authority in Victoria.

I congratulate the President, in fact, for communicating with the minister. I can only endorse his comments in regards to the Country Fire Authority in Victoria, but I extend endorsement to all of Australasia's fire authorities. I had the privilege of being the chief executive officer of the Bush Fires Board of Western Australia in the 1990s and, as a result, Australasian Fire and Emergency Service Authorities Council. I recall, at that time, Mr Len Foster as being the chief executive of the CFA in Victoria. He lent me, personally, and our agency an enormous amount of support. In fact, I was incredibly impressed and gratified with the level of support across state and territory borders and from our colleagues in New Zealand. If there was one thing that Len Foster taught me, it was to never ever confuse volunteerism and professionalism. I recall at that time the CFA having about 70,000 in the numbers, of whom about 10 per cent were paid and the balance were volunteers. Len Foster impressed upon me that there is no difference between the calibre, quality and skill level of appropriately trained, equipped and resourced people, regardless of whether they are volunteers or paid officers. I certainly applied that philosophy in my own leadership and management of the Bush Fires Board in WA. It was therefore a moment of great distress to me when I picked up the newspaper in Western Australia, along with a good deal of radio media, to see what appeared to be criticism of volunteers by the firefighters union. In fact, I spoke on radio to try and allay those concerns and suggest strongly to the firefighters union that they correct what appeared to be a circumstance in which they were criticising volunteers because of an 'inherent lack of ability'. I would point out that about 95 per cent of the landmass of Australia is protected by volunteers. When it comes to fire and other emergency services the absolute focus has to be on adequate training, equipment, clothing and provisioning of all.

I also want to address the issue of the fuel levels which we now see building up in so many areas of Australia, particularly in the Mediterranean climates in the southern part of the country. Whilst I do not want to pre-empt the outcomes of the Tasmanian fire inquiry I urge all of my colleagues to be vigilant wherever you can to ensure that state agencies take carefully and seriously the responsibility to reduce fuel levels. Whilst is true that hail, cyclones and other natural disasters cannot be foreseen or prevented, bushfires can in fact be addressed if we look at the one overwhelming thing that we can control—that is, fuel levels. We cannot control oxygen levels, nor can we usually control the type of ignition. What we can do, particularly in our Australian bushfire environment, is control the amount of fuel on the forest floor.

I go back to the devastating bushfires in February 2009 in Victoria. In Western Australia, eucalypt forests dominate. As a result of the severe fires in WA in 1961 and 1962, which devastated the town of Dwellingup, we led the world in science and research in this area. We would say that five to eight tonnes of fuel on the forest floor in a eucalypt forest is an upper level of danger. In the Victorian situation, there was 80 to 100
tonnes of fuel per hectare, and that is unacceptable. A document by a gentleman by the name of Roger Underwood was made public the other day. Mr Underwood is a highly experienced forester. He is chairman of a group that is called upon often, including in two inquiries by former Australian Federal Police Commissioner Mick Keelty—such is this man's experience. He drew the attention of the minister and the commissioner in Western Australia to the devastatingly high levels of fuel on the floors of our karri forests in the deep south of WA in the Pemberton region. Nobody is better qualified than Roger Underwood to make those comments and those observations because he was the head of the forestry department in that area throughout his career.

When Cyclone Alby went through southern and Western Australia in, I think, the early 1980s, the excellence of the foresters at that time preserved communities of people which otherwise would have been devastated by fires. That was simply because they kept fuel loads under control through fuel reduction. Again I congratulate the President on his letter. I certainly compliment the Country Fire Authority, but, at the same time, I join it with other agencies in the fire and emergency services area and speak again of the value of volunteers and volunteerism in a week when volunteerism is being accoladed in this country.

Question agreed to.

Container Deposit Scheme

Senator WHISH-WILSON (Tasmania) (17:35): I seek leave to move a motion in relation to the response by the Premier of South Australia, Mr Weatherill.

Leave granted.

Senator WHISH-WILSON: I move:
That the Senate take note of the document.

I want to comment this afternoon on the response from the Premier of South Australia, Mr Weatherill, to the Senate resolution exempting the Northern Territory government from the Mutual Recognition Act to allow it to continue with its recycling refund scheme. It does not surprise me that South Australia is the first government to officially write back to the Senate to acknowledge the correspondence sent to it in relation to the motion that was passed by the Senate calling on all MPs around the country to take action to exempt the Northern Territory from the Mutual Recognition Act. This is a legal loophole that was exploited by Coca-Cola to overthrow the recycling scheme in the Northern Territory and thus take away the autonomy of a sovereign government in terms of how it chooses to recycle plastic bottles, glass bottles, cans and milk containers.

It does not surprise me that South Australia responded so quickly, because to me, having visited the state last year and noting the Senate inquiry into container deposit schemes in South Australia, it is very obvious that nearly every South Australian I meet is very proud of their scheme and actually very happy to export that scheme to the rest of the country. It has been very successful over a long period of time in achieving higher recycling rates of over 80 per cent. I think a lesson can be learnt from South Australia by the rest of the nation.

Recently, we had a visitation here in Parliament House by a group of six businesses, four of them international businesses, looking to invest in a national container deposit scheme. While the benefits of recycling to communities and the environment are well known, in terms of container deposit schemes in South Australia, probably what is not well understood in this country and which will become very clear are the economic benefits

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this can bring and the fact that it will be funded by private investment. These companies came to discuss the fact that they would invest $500 million in a national scheme and felt that they could create between 3,000 and 3,500 new jobs in recycling, with up to 1,400 depots and 250 super-depots around the country. These depots would not just be set up to take back containers such as cans; they would also be set up to take on other forms of waste such as e-waste which, of course, is probably the biggest waste challenge facing this country at the moment. They would also be well set up to take on batteries, tyres and other forms of waste. So this is essentially a story about infrastructure development in this country—an infrastructure development set up to solve a problem.

I have talked in the Senate frequently in the last eight to nine months on the problems with marine plastics. Recently, I attended a forum in Hobart where CSIRO scientists uncovered the first analysis that they had done on the data that had been provided to them by Keep Australia Beautiful in relation to the numbers of containers found around the country at a number of different sites, not just on beaches but also in terrestrial environments. These CSIRO scientists are also doing a systematic study of beaches around the entire country. They probably have one of the best jobs in the country: they are basically paid to go, 100 kilometres apart, to every beach around the nation and collect information. Their data was very clear: that outside of South Australia you are four times more likely to find plastic bottles, cans and glass bottles than you are in South Australia, including on beaches.

Plastics in the ocean is probably the single biggest pollution issue around the globe at the moment facing our marine environment. Recently, we have seen a big step up in campaigns by environment groups to start highlighting just how serious this problem is.

Plastic bottles are only part of the problem—I acknowledge that—but we know, from data that we have seen from Clean Up Australia Day and Keep Australia Beautiful and the data that has been put together by CSIRO, that plastic bottles make up a large proportion of the plastics that we find on our beaches. So it is a good place to start.

Putting in place a product stewardship scheme that helps reduce plastic and other forms of packaging is a really sensible policy. It is not just sensible in terms of the environmental benefits that it brings. We also know that these schemes can create jobs; they can create investment; they can help us with other types of recycling. But we also know that they are highly efficient and that they work, which is very difficult to say for other proposed schemes that are in front of COAG at the moment.

I will finish in just a minute. Firstly, I will just say that COAG still has not decided yet on whether we are going to have a national container deposit scheme. We anticipate that we will get that decision following their announcement that they will not be delaying or deferring the decision, which they have done for the last three years, and that we will be getting that decision very shortly.

Obviously it pays to be an optimist in this game, but I am optimistic, after three years of hard lobbying by the environment movement and in fact over 20 years of pushing for a national scheme, that we may actually see this occur. Interestingly enough, if we do not get a national scheme because we have some states that choose not to be part of that scheme, then we have a situation facing us at the moment where we have a series of Liberal and Labor governments around the country who have indicated...
support for this scheme at a state level. Certainly, recently the Liberal Victorian Premier has indicated his support for a scheme. Tasmania has passed a tripartisan motion in parliament, with all three parties supporting a state based scheme. We are hearing very positive messages out of Western Australia, where they of course have a local government council scheme in place already, and of course we have South Australia and the Northern Territory operating, which leaves Queensland who are saying that they are happy to go with the bin network to be funded by Coca-Cola and the Food and Grocery Council. That leaves us with New South Wales.

So we have a very interesting situation here—that, because of the mutual recognition exemption that is demonstrated in this letter from South Australia today, we have the potential to have six or seven different state-based schemes. Considering that those in industry like to participate in these schemes, I think it will be a nightmare for them if we do not have a national scheme. But there is the will, there is the organic momentum behind this scheme, in most of the states in this country, to have an efficient, affordable and effective container deposit scheme which will help us to recycle and which adds grunt to our recycling in this country. It is going to be very interesting to see which way that penny will land, and hopefully we will know that in the next few weeks.

Question agreed to.

COMMITtees

National Capital and External Territories Committee

Report

Senator PRATT (Western Australia) (17:43): I seek leave to speak to the Joint Standing Committee on the National Capital and External Territories' Report, An estate for the future.

Leave granted.

Senator PRATT: I move:

That the Senate take note of the report.

I am delighted that this report has come before the Senate. An estate for the future is the report of the inquiry into the allocation of land to diplomatic missions here in the ACT. It was presented out of session on 28 March.

All of us who spend time here know this great city quite well and would be aware that there are a great many diplomatic missions here—in fact, over 80—reflecting the great cultural and economic links that we have with a great many different nations. Indeed, it is a key role of our capital to host the missions and to foster relationships with those nations. They are an important part of the fabric of our capital city. They are diverse and often attractive buildings that reflect both Canberra's history, in the history of those buildings and their architecture, the architectural traditions that have been employed through Canberra throughout its history—and it is interesting to note in that sense the anniversary that Canberra celebrates this year—and also the architectural traditions of many of the nations that occupy those buildings.

The management of this estate, if you like, brings with it some considerable challenges, unique ones, which are quite different to those of ordinary property development and property management. They include the need not only to manage the usual planning questions but to be sensitive to the national interests of the nations with a presence in our capital.

This inquiry came out of concern amongst residents of the Canberra community and within the committee over the way that land is allocated to diplomatic missions here in the ACT. People were concerned that the
method currently used for allocating land to diplomatic missions lacked coherence and that, despite there being a long-term need for such land, there was no long-term strategy underpinning that land allocation. There was no obvious or meaningful coordination between the Commonwealth and ACT governments regarding that allocation of land for national use, despite the obvious need for such coordination, given the fundamental demand confronting the Commonwealth and the fundamental issue confronting the Commonwealth, which is a shortage of national land suitable to the diplomatic estate which the Commonwealth needs to take responsibility for managing.

These concerns were brought to prominence by a decision here in the ACT to reserve land adjacent to Stirling Ridge in Yarralumla for incorporation into the diplomatic estate. This decision was part of draft amendment 78 to the National Capital Plan, and it aroused some considerable community concern. Indeed, residents raised concerns about its impact on local open space and the local environment.

But, from the committee's point of view, what we found of key concern is that this allocation highlighted the essentially ad hoc process by which land is allocated as part of the diplomatic estate. The committee could not be assured—indeed, nor could residents. We could not be clear about whether this land had been chosen not because it is the most suitable but just because it appeared to be the most readily available. The committee was in agreement that this is not the best criterion for assessment.

In examining this issue, the committee undertook a couple of tasks. Firstly, we looked at the methodology for allocating land to diplomatic missions, looking at a number of factors influencing the decision making as it currently exists and the kinds of problems that arise. We explored the various alternatives for allocating land to diplomatic missions, including some examples from overseas, and were particularly impressed with the kind of planning that is employed in Washington DC. They have a much greater emphasis there on the integration of the diplomatic estate with the rest of the city. They also have far more substantial use of the free market in the allocation of land to diplomatic missions, whereas here in the ACT it is essentially a task that is undertaken by government, noting of course that government has an obligation under international treaties to facilitate access to diplomatic land. Government seems to have taken that very literally in therefore leaving the free market out of it, whereas I think our committee would contend that, yes, government has a special responsibility but that does not mean that the free market should not also have a role.

The result of our deliberations as a committee was that we took the view that the process of allocating land to diplomatic missions in the ACT does require an overhaul. It needs to be more flexible and responsive to the needs of our diplomatic community, local residents and the city. It needs to be updated to reflect the changing nature of Canberra as a modern and mature city facing the usual challenges of urban development, noting of course its significant and special role as our capital.

In looking at the evidence before the committee, we recommended that, in order to better utilise the limited land resources, the Australian government needs to strengthen policies and regulations surrounding diplomatic leases to ensure compliance with the conditions of those leases. Indeed, we recommended that land be resumed within 36 months where development has not yet commenced.
We also recommended complementary arrangements to those in place, including the use of medium- and high-density premises to house chanceries, the subdivision of existing leases and the use of residential land and commercial properties to house missions— noting, of course, that there is a security footprint which those missions currently occupy. The committee has also urged that in the future there should be a steady evolution, if you like, to a more commercial approach to looking at these issues, such as that which applies in Washington.

The committee has also recommended the development of a long-term strategy for the allocation of land to diplomatic missions in the ACT and that it should be developed in conjunction with DFAT, the AFP and the ACT government to integrate with ACT plans. We need to look at a policy for medium- and high-density properties, a mechanism for subdividing existing leases— noting, of course, that some countries are sitting on substantial economic assets when they do not necessarily want to maintain such large sites and that in these global economic times, where there is pressure on the local post, it might actually be a good thing for them to be able to release some equity from those properties and in turn make more space available to other countries that might like to establish a mission.

We need to look at a review of resources in O'Malley, Yarralumla and Deakin to ensure their optimal use for diplomatic purposes. We also recommended that, on that basis, given this need for a new approach, draft amendment 78 should be withdrawn. We are very pleased to note that the government has responded by saying it would withdraw draft amendment 78 as a stand-alone proposal and would be looking to some of the broader responses that need to be addressed.

In closing, I want to thank all of those who contributed, not least of all my committee colleagues, including Senator Humphries, who I know has taken a very active interest in what is an issue of importance to the nation and to the capital as well as to our diplomatic community. We did receive terrific evidence from a range of sources, including Washington DC. I think the outcome of this inquiry, in the finest tradition of parliamentary committees, reflects a bipartisan approach to policymaking, to the benefit of all.

I seek leave to continue my remarks later.
Leave granted; debate adjourned.

DOCUMENTS
Tabling

The ACTING DEPUTY PRESIDENT (Senator Furner) (17:53): On behalf of the President, I table a communique from the 18th National Schools Constitutional Convention held at Old Parliament House from 20 March to 22 March 2013.

COMMITTEES
Privileges Committee

Report

Senator HUMPHRIES (Australian Capital Territory) (17:54): I present the 152nd report of the Committee of Privileges entitled Possible unauthorised disclosure of the draft report of the Select Committee on Electricity Prices.

Ordered that the report be printed.

Senator HUMPHRIES: by leave— I move:

That the Senate endorse the conclusion at paragraph 1.57 of the 152nd report of the Privileges Committee and adopt the recommendation that no contempt be found in respect of the matter referred.

The committee reports to the Senate in its inquiry into the possible unauthorised
disclosure of the draft report of the Senate Select Committee on Electricity Prices. I note that the committee finalised this report during the March sittings but was unable to present it due to certain unusual proceedings on the last sitting day of the Senate. It is not the practice of the Privileges Committee to present reports on contempt matters out of sitting, so the report has been held over until today.

According to the former chair of the Senate Select Committee on Electricity Prices, the report of that committee was preempted by an article and video commentary published by a journalist online. This occurred at a late stage in the development of the report but prior to the select committee meeting to consider and adopt it. In his letter to the President raising the matter, the former chair stated, 'In the committee's view, the disclosure not only impeded its freedom to deliberate but reflected adversely on the value of the committee's inquiry.'

The investigation of unauthorised disclosures is a subject which has attracted detailed consideration by the Privileges Committee, most recently in its 122nd report, which considered the principles that should apply. While any unauthorised disclosure may, in some circumstances, constitute a contempt of the Senate, it does not follow that every unauthorised disclosure warrants investigation. Parliamentary privilege is intended to protect the parliament's processes from obstruction and interference, and it is that principle—the necessity to protect the integrity of the work of the Senate and its committees—which guides the Senate in determining questions relating to contempt.

In relation to unauthorised disclosures, this determination is based on an assessment of the harm or interference they cause. Committees are required to undertake their own investigations into unauthorised disclosures to make an assessment about harm or interference and to consult the Privileges Committee before raising them as matters of privilege. They are guided in this process by a Senate resolution adopted on 17 December 2007. It was not possible in this case for the select committee to complete this process, as it ceased to exist upon presentation of its report.

Having received the reference, the Privileges Committee determined that it would consider the matter in accordance with the principles embodied in the 2007 resolution. Although the select committee considered that the disclosure amounted to a serious breach of its confidences, the Privileges Committee has concluded that the unauthorised disclosure did not substantially interfere with the Senate select committee's work in the terms of the 2007 resolution and accordingly does not warrant further investigation. This conclusion was drawn on the basis of correspondence with members of the select committee, and that correspondence is published with the report.

The Privileges Committee has also concluded that it is not a matter on which it would have recommended further action had it been in a position to consult with the select committee. On reaching that conclusion, the committee has applied the principles set out in its 122nd report. The cases revealed a gap in relevant procedure, in that the 2007 resolution is not available as a remedy where a committee has ceased to exist. In similar circumstances in the future it might be appropriate for such a committee to seek from the Senate a brief extension of time for the limited purpose of complying with that resolution.

The committee is unable to conclude on the evidence before it that a contempt of the Senate has been committed. The effect of the
motion I have moved is for the Senate to endorse that conclusion and to adopt the committee's recommendation that a contempt not be found.

If no other senator wishes to speak at this time on the matter, I shall seek leave to continue my remarks later in order to preserve the matter for future debate.

Leave granted; debate adjourned.

BUDGET
Consideration by Estimates Committees

Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (17:59): I present additional information received by committees relating to estimates, as listed at item 17 on today's Order of Business.

COMMITTEES

Publications Joint Committee

Report


Ordered that the report be adopted.

Regulations and Ordinances Committee

Documents

Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (17:59): On behalf of Senator Furner, I present four documents of the Standing Committee on Regulations and Ordinances, as listed at item 17 on today's Order of Business.

Rural and Regional Affairs and Transport References Committee

Additional Information

Senator BUSHBY (Tasmania—Deputy Opposition Whip in the Senate) (18:00): On behalf of the Chair of the Rural and Regional Affairs Transport References Committee, Senator Heffernan, I present additional information received by the committee in its inquiry into the management of the Murray-Darling Basin.

Community Affairs References Committee

Additional Information

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:00): I present additional information received by the Community Affairs References Committee in its inquiry into Australia’s domestic response to the World Health Organization’s Commission on Social Determinants of Health report Closing the gap in a generation: health equity through action on the social determinants of health.

DOCUMENTS

Tabling

The Clerk: Documents are tabled pursuant to statute. Details will be recorded in the Journals of the Senate and on the Dynamic Red.

Details of the documents also appear at the end of today’s Hansard.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Furner) (18:01): The President has received a letter from a party leader requesting changes to the membership of committees.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry and Minister Assisting on Queensland Floods Recovery) (18:01): by leave—I move:

That senators be discharged from and appointed to committees in accordance with the document circulated in the chamber.
Broadcasting Legislation—Joint Select Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Community Affairs Legislation and References Committees—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples—Joint Select Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Corporations and Financial Services—Joint Statutory Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Economics Legislation and References Committees—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Education, Employment and Workplace Relations Legislation Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Education, Employment and Workplace Relations References Committee—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Environment and Communications Legislation Committee—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Environment and Communications References Committee—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Finance and Public Administration Legislation and References Committees—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Foreign Affairs, Defence and Trade Legislation and References Committees—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Gambling Reform—Joint Select Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Human Rights—Joint Statutory Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Legal and Constitutional Affairs Legislation and References Committees—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Public Accounts and Audit—Joint Statutory Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr
Rural and Regional Affairs and Transport Legislation and References Committees—
   Discharged—Participating member: Senator Thistlethwaite
   Appointed—Participating member: Senator Kim Carr
Treaties—Joint Standing Committee—
   Discharged—Senator Thistlethwaite
   Appointed—Senator Kim Carr.

Substitute member: Senator Moore to replace Senator Bilyk on 23 May 2013
Question agreed to.

BILLs

Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013

First Reading

Bill received from the House of Representatives.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry and Minister Assisting on Queensland Floods Recovery) (18:02): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry and Minister Assisting on Queensland Floods Recovery) (18:02): I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

The Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013 implements the changes to the self-managed superannuation fund (SMSF) supervisory levy announced in the 2012-13 Mid-Year Economic and Fiscal Outlook.

The SMSF supervisory levy is a cost recovery levy designed to cover the costs of the Australian Taxation Office (ATO) regulating the sector. However, the current levy does not fully recover the ATO’s cost of supervising this rapidly growing and diverse sector.

This Bill will ensure the levy is collected from SMSFs in a more timely way, and will increase the levy to ensure the Taxation Office’s costs of regulating the SMSF sector are fully recovered.

To this end, the Bill increases the maximum levy payable by a self managed fund for a year of income from $200 to $300. However, the actual levy payable from the 2013-14 income year will be $259 and this amount will be prescribed in the Regulations.

This Bill also allows for the change in timing of collection of the SMSF levy so that it is levied and paid in the same financial year, rather than the following financial year. The change will ensure consistency with super funds regulated by the Australian Prudential Regulation Authority (APRA), which pay the superannuation supervisory levy in the same financial year it’s levied. The Government considers that this is appropriate for a cost recovery levy.

It should be noted that the lodgement of returns will continue as normal, and the timing of the collection of the levy will be phased in over two years, to give the sector time to adjust.

Accordingly, in 2013-14, SMSFs will pay the $191 levy for the 2012-13 income year, and half the $259 levy for the 2013-14 income year (that is, a total of $321, rounding up).

Then in 2014-15, they will pay the other half of the $259 levy for the 2013-14 income year, and the $259 levy for the 2014-15 income year (or a total of $388, rounding down).

And from 2015-16, funds will pay the $259 levy in the relevant income year. Just to clarify, the amount of the levy payable for a year of income will not exceed the cap, as the total amount payable for 2013-14 and 2014-15 each represents the levy for one and a half years, while the levy for the particular income year will be below the cap.

In addition, I can assure the ATO is working to minimise any compliance costs associated with these measures.

I note that the SMSF levy is intended to help offset the costs of implementing the Government’s SMSF Stronger Super reforms, which aim to improve the operation, efficiency and integrity of the SMSF sector.
This Bill will enhance the ATO’s ability to deliver these important reforms and continue to effectively regulate the self-managed super fund sector.

Finally, as I mentioned before, SMSFs are a rapidly growing and diverse sector. For example, between 30 June 2008 and 30 June 2012, the number of SMSFs increased from almost 376,000 to over 478,000, representing growth of over 27 per cent.

Let’s be clear – the Government strongly supports self-managed superannuation funds. At their core, these reforms are about improving the integrity of the SMSF sector, and providing for better regulation, and ultimately better protection, for fund members.

Full details of the amendments in this Bill are contained in the explanatory memorandum.

Debate adjourned.

National Disability Insurance Scheme Bill 2013
Royal Commissions Amendment Bill 2013
Returned from the House of Representatives
Message received from the House of Representatives returning the bills without amendment.

COMMITTEES
Membership
Message received from the House of Representatives notifying the Senate of changes in the membership of various committees.

BILLS
Maritime Powers Bill 2013
Maritime Powers (Consequential Amendments) Bill 2013
Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1) 2013
International Tax Agreements Amendment Bill 2013
Aboriginal and Torres Strait Islander Peoples Recognition Bill 2013
Electoral and Referendum Amendment (Improving Electoral Procedure) Bill 2013
National Disability Insurance Scheme Bill 2013
Appropriation Bill (No. 3) 2012-2013
Appropriation Bill (No. 4) 2012-2013
Higher Education Support Amendment (Further Streamlining and Other Measures) Bill 2013
Royal Commissions Amendment Bill 2013
Television Licence Fees Amendment Bill 2013
Electoral and Referendum Amendment (Improving Electoral Administration) Bill 2013
Fisheries Legislation Amendment Bill (No. 1) 2013
Australian Capital Territory (Self-Government) Amendment Bill 2013
Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013
Export Finance and Insurance Corporation Amendment (Finance) Bill 2013
Completion of Kakadu National Park (Koongarra Project Area Repeal) Bill 2013
Customs Amendment (Anti-Dumping Commission) Bill 2013
Customs Amendment (Miscellaneous Measures) Bill 2013

Assent

Messages from the Governor-General reported informing the Senate of assent to the bills.

COMMITTEES

Education, Employment and Workplace Relations References Committee

Report

Senator BACK (Western Australia—Deputy Opposition Whip in the Senate) (18:04): I present the report of the Education, Employment and Workplace Relations References Committee Teaching and learning—maximising our investment in Australian schools, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator BACK (Western Australia—Deputy Opposition Whip in the Senate) (18:04): by leave—I move:

That the Senate take note of the report.

I commend the report to the chamber. I thank all who have been involved in the preparation of the report, appeared as witnesses and put in submissions. I particularly applaud the secretariat for the excellent job they have undertaken in the preparation of this report. There were 59 submissions to the inquiry, and there are 23 recommendations which emanate from the report.

The report is based around six pillars. The first relates to disadvantaged students. The second is parental involvement and the essence of parental involvement in the education of the child—along, of course, with the involvement of the school and the teachers. The third is a movement towards autonomy in the administration and management of schools. The fourth relates to student behaviour. The fifth is ensuring that we select quality applicants as student teachers and have the highest quality of education for student teachers. The sixth is professional learning for teachers in their classrooms. I will now speak briefly to these six pillars.

Australia stands very highly against international education standards. But we are not improving, despite expenditure of funds. It is recognised that there are four large groups of disadvantaged students—those from low socioeconomic backgrounds, those with disability, Indigenous students and students living in rural and remote areas. But the committee rejects the thinking that students from these four disadvantaged backgrounds need to be condemned to poor educational outcomes because of their demographic or whatever background. Recommendations point to areas in which, this committee believes, the disadvantage faced by students from these backgrounds can be addressed and overcome. It should not be the case that students from such backgrounds are condemned to not being able to perform to the best of their ability in the Australian education system.

The second pillar is parental involvement. It came through as evidence to the committee that chief among the influences on student achievement are parental engagement, parental as well as teacher expectations, effective behaviour management and teacher quality. But of all of those it is critical that parents believe that their child will do their best at school, that they will experience success and that they will move into employment or a trade or a university qualification. I would urge those interested in this area to examine the evidence of the witnesses that speaks to those points. Education is a team effort. It is the parents...
and, by association, grandparents and others in the family; it is the school, its management and its teachers; it is the environment; and, at the end of the day, we also recognise that there is a role for governments—be they state or territory, which actually deliver education, or the Catholic or independent school systems and the federal government, which is involved in funding.

I will be brief because I know that others wish to speak. The committee was impressed by the argument from many of the submitters and witnesses that school autonomy, the role of the principal guided by a board, is the best model, where it is appropriate. They should be well trained, well skilled and well supported to be able to identify where the local needs are for students in that community. As I look at research into Finland, which is always placed before us as a country of excellence in education, what impresses is in fact the local decision making that takes place in the Finnish education system. There are recommendations in the report pointing to this.

I come to the question of student behaviour and very compelling evidence by a witness, who said:

[W]ell-behaved children learn a great deal better and a great deal more than poorly behaved children.

If there is one point to come out of this report over some of the 30 reports over 30 years into education in Australia, it is recognition that the teachers should be allowed to get on with the job of teaching in their schools and not be in the role of babysitters or disciplinarians. As one witness said to us:

If I have had to deal with a classroom bully, by the time I deal with that child, get them out of the room, when I go back into that room, I may have 25 or 26 scared children who are in no position to learn.

Again I am proud to say that the committee has made recommendations pertaining to behaviour. Again if I can draw the Finnish analogy, only last August did its minister for education introduce legislation into the parliament to allow exactly that—greater authority and greater stimulus for teachers to be able to teach in the classroom.

The fifth of those pillars is quality teaching students going into courses in Australia. We should select those who are most appropriate to teaching. The committee was impressed by evidence that there are definitely criteria for those applying to go into teaching and we can identify those who are most likely, both academically and in having an aptitude, to be the best teachers. There is no doubt at all that we have far too many people in teacher training in this country—100,000 bodies, representing some 66,000 full-time equivalents. The other interesting evidence that came before the committee was that, prior to their making a decision to go into that career, prospective students should be informed of which disciplines are in demand and which are not. We had evidence that in some schools only one or two teachers are qualified to teach mathematics or science in a secondary school, but eight or nine may have qualifications in the arts or in physical education and sport. We think it is essential that those matters are addressed.

The last of those six pillars I spoke of was the need for the ongoing professional learning and support of classroom teachers throughout their teaching careers. If teachers are being asked to teach out of field and if it is the case that the best teachers are those who are across their subject, then surely we must give professional learning to those who are being asked to teach out of field. The enormous benefit both to newer teachers and to more experienced teachers is having the opportunity to have someone observe them
in the classroom, be they a mentor or be they a mentee. A lot came out of this inquiry, and the secretariat was good enough to provide in an appendix the recommendations of many of those 30 inquiries of the last 30 years. I am very pleased to say that by consensus this committee has come up with recommendations that are not over the top in terms of cost to the Australian taxpayer but that are designed to enhance teaching and learning in Australian schools. I commend the report to the Senate.

Senator WRIGHT (South Australia) (18:12): I rise to speak on the tabling of this report of the Senate References Committee for Education, Employment and Workplace Relations, Teaching and learning— maximising our investment in Australian schools. I participated in this inquiry as the Australian Greens spokesperson for schools and education, and I would like to acknowledge the high quality of submissions received and the time given up by witnesses to the inquiry. I must acknowledge that there have been an inordinate number of inquiries into education and schools over the last three decades, but it is a matter of enduring importance and concern to the Australian community. Nevertheless, there is always work to be done and consideration to be given to emerging issues.

I would like to thank those who took the time to contribute their knowledge, their experience, their wisdom and, indeed, their passion. One thing about the education area is that most people have an opinion and many people have passions about Australia doing the best it possibly can in this area. We heard from educators, primary and secondary teachers, some of whom were relatively recently admitted to the profession and others of whom were retired and looked back on a lifetime of experience. We heard from principals, teacher educators and other academics, non-government organisations and interested citizens. They all reflected the fact that education is so important to us as a society.

The recommendations of the report reflect the constitutional reality that states and territories are primarily responsible for education. But we also know that the Commonwealth government has become increasingly involved and has assumed an increasingly important role both in education policy development and in funding. There is certainly a role for Commonwealth leadership in collaboration with the states and territories.

It is a comprehensive report, so I will highlight just three themes which were of particular interest to me. But I encourage those who are interested to read the full report. The first theme of particular interest to me is covered in the chapter on Australia’s performance, and it is the issue of testing—how we actually ascertain what Australia’s performance is. There was a great deal of discussion about issues relating to what is currently quite a topical subject: NAPLAN testing, or the National Assessment Program—Literacy and Numeracy. This subject evoked strong views from witnesses and from people and organisations making submissions to the committee, both from those in favour of the current NAPLAN program and how it is being administered and from those against. Certainly many in the latter group, including many retired teachers and principals, expressed serious concerns, including that NAPLAN is causing more competition among students and among schools, to the detriment of some students and to the detriment of teaching and the curriculum. I suggest that people look at the submissions and the way the report has covered this subject, but I believe that there is sufficient evidence of ongoing disagreement in this area to suggest that it warrants further inquiry. We really need to
look at the evidence for the efficacy of NAPLAN testing and whether it is achieving its objectives.

The second theme is the relevance of various factors in student performance and achievement, particularly the role of socioeconomic background in influencing educational outcomes in Australia. It is not the only important factor influencing outcomes for Australia students, but there is no denying that it is an important factor. This has been recognised by PISA. In their tests, they compare like countries in the OECD. Paragraph 3.42 of the report says:

PISA measures socioeconomic background by taking into account economic, social and cultural status. Across the three tests, the mean score for students from the highest socioeconomic quartile was much higher than the other three quartiles—indeed the schooling gap was between 1 and 3 years.

Basically, this gap was referable to the socioeconomic band in which those students were located. That was true for both literacy and numeracy.

The Smith Family is a notable Australian non-government organisation particularly devoted to assisting students of disadvantaged backgrounds in their education. It noted the importance of socioeconomic background and the fact that inequalities need to be addressed to ensure that all children can achieve their full potential, irrespective of their background. Paragraph 3.47 of the report refers to the Smith Family's submission and points out that, if we do not address this disparity in achievement levels arising out of socioeconomic background, there will be consequences for the whole nation as well as for individual students. It is not only inherently terribly unfair but also squanders the potential of those students—making us all worse off in the long run. The Smith Family stated:

The individual and collective impact of not addressing this situation is significant. Young people with poor educational outcomes are more likely to experience unemployment and poorer health outcomes, and rely more heavily on income support payments. This creates additional economic and social costs for individuals and the community as a whole.

The third theme I wanted to highlight is training support for teachers and their retention and development. It is obvious just how pivotal teachers are in our education system and in educational outcomes. There were some very interesting insights gained from the witnesses to the inquiry, and the recommendations reflect this. Particularly highlighted was the importance of mentoring for teachers, not only for new teachers and preservice teachers—although clearly it is particularly important for them as they find their way in this profession, one most of them have chosen with passion—but even for more experienced teachers. They too can gain from mentoring, support, collaboration and sufficient time to reflect and plan lessons. This is reflected in recommendation 19 of the report.

Having heard the evidence put before the inquiry, a particular issue of concern to me is the incidence of casualisation in the teaching workforce. Even in the case of very experienced teachers, there was evidence that this leads to insecurity. They lurch from contract to contract. There are obviously economic consequences for them, but as well as that it impedes a sense of security and continuity—really being able to commit to long-term development of the school knowing that they will be able to stay on there. It is unsettling, it undermines their confidence and it often means that professional development opportunities are not as available to contract teachers as they are to permanent teachers. There was anecdotal evidence put before the inquiry,
but in my own visits to schools throughout Australia there was a constant refrain. I heard about this issue not only from those teachers being employed on contract but from their peers and from principals. Principals would often say things like: ‘This teacher is wonderful, remarkable. We absolutely want to hang onto this person, but there is no guarantee from year to year that we will be able to.’ It is quite corrosive of confidence and security. My view is that we lose highly qualified and high-quality teachers from the system because, ultimately, they feel undervalued and leave.

We know there is attrition in the teaching profession. Recommendation 18 of the report is for further research to be undertaken into why teachers are leaving the profession. Although it does not specifically refer to casualisation, I would be very surprised if the research did not identify it as an important factor behind teachers, ultimately, voting with their feet.

To conclude, I thank all who made submissions and attended hearings. I also thank the hardworking and enthusiastic secretariat. I commend the report to the Senate.

Senator McKENZIE (Victoria) (18:21): I rise to speak on the tabling of the report of the Education, Employment and Workplace Relations References Committee entitled Teaching and Learning (maximising our investment in Australian schools). I take this opportunity to thank the committee secretariat, who have worked incredibly hard over a long period to bring something fresh to the public debate about teaching and learning in this country. Even this month, after 30 reports, we are still having fresh things to say, and that says something quite fantastic about our nation—that we all, on both sides of the parliament, see education providing great opportunity for all young Australians and, if we take the principles of lifelong learning into account, for all Australians no matter their age. This report does offer fresh insights despite, sometimes, the muddled and congested public conversation that occurs about education.

I would like particularly to put on the record my thanks to the chair of the committee, Senator Chris Back. He has championed this report and he has championed the terms of reference and the work we have done. This inquiry came about when the Education, Employment and Workplace Relations Committee had the opportunity to investigate the Chinese education system last year, particularly in light of the PISA results for Shanghai. We had discussions across party lines on education systems and what measures of success were needed, and indeed the different practices in classrooms, and those issues were highlighted for us as we looked at the Chinese education system not just in primary schools but right through to teacher training, polytechnics and universities. That had a big impact on us and the way we came back to start this inquiry.

As a National senator I obviously have particular concern for the one million students being educated in regional Australia—660,000 of whom attend state schools. I have a strong interest in a productive, well-funded, vibrant and quality state school education system right through our nation. I am rapt that our recommendations reflect that we do live in a federated nation and we are not expecting the Commonwealth to intercede and to override states but rather to work hand in hand with state education ministers to address our concerns.

I probably come to this place as a statistic in the research that we hope will be conducted into teacher retention. I no longer
teach. I was a teacher and a very passionate mathematics teacher at that, in rural areas, and I hope that my number will not be counted. I have a lot more to say about this but in light of this evening's proceedings I will leave any further comments to a later date.

Senator BUSHBY (Tasmania—Deputy Opposition Whip in the Senate) (18:25): I also wish to speak on the motion that the Senate take note of this report, and seek leave to continue my remarks later.

Leave granted; debate adjourned.

BILLS

Tax Laws Amendment (Countering Tax Avoidance and Multinational Profit Shifting) Bill 2013

Report of Legislation Committee

Senator McEWEN (South Australia—Government Whip in the Senate) (18:26): On behalf of the Chair of the Economics Legislation Committee, I present the committee's report on the Tax Laws Amendment (Countering Tax Avoidance and Multinational Profit Shifting) Bill 2013, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Asbestos Safety and Eradication Agency Bill 2013

Report of Legislation Committee

Senator McEWEN (South Australia—Government Whip in the Senate) (18:26): On behalf of the Chair of the Education, Employment and Workplace Relations Legislation Committee, I present the committee's report on the Asbestos Safety and Eradication Agency Bill 2013, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Fair Work Amendment Bill 2013

Report of Legislation Committee

Senator McEWEN (South Australia—Government Whip in the Senate) (18:26): On behalf of the Chair of the Education, Employment and Workplace Relations Legislation Committee, I present the committee's report on the Fair Work Amendment Bill 2013, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Sitting suspended from 18:26 to 20:00

BUDGET

Statement and Documents

Senator THISTLETHWAITE (New South Wales—Parliamentary Secretary for Pacific Island Affairs and Parliamentary Secretary for Multicultural Affairs) (20:00): I table the following documents:

Budget speech 2013-14—Statement by the Treasurer (Mr Swan), dated 14 May 2013.

Budget papers—
No. 1—Budget strategy and outlook 2013-14.
No. 2—Budget measures 2013-14.
No. 3—Australia's federal relations 2013-14.
No. 4—Agency resourcing 2013-14.

Ministerial statements—
Australia's international development assistance program 2012-13

Continued investment to close the gap
Regional Australia: Strengthening communities

I seek leave to move a motion in relation to the statement and documents.

Leave granted.
Senator THISTLETHWAITE: I move:
That the Senate take note of the budget statement and documents.
Debate (on motion by Senator Thistlethwaite) adjourned.

Proposed Expenditure

Senator THISTLETHWAITE (New South Wales—Parliamentary Secretary for Pacific Island Affairs and Parliamentary Secretary for Multicultural Affairs) (20:01): I table particulars of proposed and certain expenditure, and seek leave to move a motion to refer the documents to legislation committees.

Leave granted.

Senator THISTLETHWAITE: I move:
That the documents be referred to legislation committees for the consideration of the estimates.
Question agreed to.

Portfolio Budget Statements

The ACTING DEPUTY PRESIDENT (Senator Parry) (20:01): I table the portfolio budget statements for 2013-14 for the Department of the Senate, the Department of the Parliamentary Budget Office and the Department of Parliamentary Services. Copies are available from the Senate Table Office.

Senator THISTLETHWAITE (New South Wales—Parliamentary Secretary for Pacific Island Affairs and Parliamentary Secretary for Multicultural Affairs) (20:01): I table portfolio budget statements for 2013-14 for portfolio and executive departments in accordance with the list circulated in the chamber. Copies are available from the Senate Table Office.

The list read as follows—
Budget Related Documents—14 May 2013
2013-14 Portfolio Budget Statements (PBS)
1.1 Agriculture, Fisheries and Forestry portfolio
1.2 Attorney-General's portfolio.
1.3 Broadband, Communications and the Digital Economy portfolio.
1.4A Defence portfolio.
1.4B Department of Veterans' Affairs.
1.5 Education, Employment and Workplace Relations portfolio.
1.6 Families, Housing, Community Services and Indigenous Affairs portfolio.
1.7 Finance and Deregulation portfolio.
1.8 Foreign Affairs and Trade portfolio.
1.9 Health and Ageing portfolio.
1.10 Human Services portfolio.
1.11 Immigration and Citizenship portfolio.
1.13 Infrastructure and Transport portfolio.
1.14 Prime Minister and Cabinet portfolio.
1.15 Regional Australia, Local Government, Arts and Sport portfolio.
1.16 Resources, Energy and Tourism portfolio.
1.17 Sustainability, Environment, Water, Population and Communities portfolio.
1.18 Treasury portfolio.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Parry) (20:02): Order! I propose the question:
That the Senate do now adjourn

Domestic Violence

Senator THORP (Tasmania) (20:02): For many Australians, there is no place like home. Our homes provide us with security, relaxation and personal comfort. For some Australian women however home is a place of pain, humiliation and, in the worst of circumstances, death. Domestic violence continues to be a serious problem in Australia. Seventy-six women on average are killed each year by either a current or a former partner. The economic cost to the
country is estimated at around $13 billion a year. But there is a much greater loss to our society, in particular the devastating physical and emotional cost to individuals, families and communities.

There is no doubt that acts of domestic violence can leave women with their lives ruined and destroyed. But there is something governments can do. The 2009 Canadian Conference on the Prevention of Domestic Homicide referred to domestic violence deaths as the most predictable unpreventable homicides. Each domestic violence death is preventable because they are the result of extremely predictable patterns of escalated behaviour within a relationship. The victims are often women who are known to police, courts and community groups. These women and their children have often passed through healthcare providers and women's shelters, have called our police and have been assessed by our social services. In many circumstances these victims reached out for help. Their deaths are not unpredictable nor are they unforeseeable. This is why we must act.

A significant and crucial insight can be gained by reviewing the surrounding circumstances of a domestic violence death. Review processes allow us to develop informed and effective prevention strategies and identify gaps in existing systems. Risk factors include prior physical abuse, repeated separations, access to firearms, stalking, choking or strangulation, frequency of violence as well as threats of violence.

Many states and territories have already introduced domestic violence death reviews, which allow for systemic and systematic forensic analysis of domestic violence deaths. At present, our state of Tasmania lacks such a system. This means that domestic violence related deaths are treated in the same manner as any other homicide through the coronial division of the Magistrates Court. Unfortunately, these inquests fall short because they are merely an inquiry to determine the victim's identity, the date and place of death and the manner in which the death occurred. In contrast, domestic violence death reviews take an in-depth look at the incident which led to the death. They also identify common patterns and trends among multiple domestic violence deaths. These reviews can also receive unrestricted input from community groups, women's shelters, government agencies, medical specialists and other family members who can shed light on the circumstances of the relationship and the experiences of the victim.

Last year I had the pleasure of meeting with University of South Australia senior lecturer Elspeth McInnes, representing the National Domestic Violence Death Review Advocacy Group at the unveiling of the National Remembrance Quilt. Elspeth had travelled to Canberra to represent the group WEAVE—Women Everywhere Against Violence Everywhere—in the hope of encouraging each state in Australia to establish a domestic violence death review process. Elspeth kindly agreed to travel to Launceston in December to facilitate a round table discussion on the issue.

This initial forum included stakeholders from Tasmanian agencies and groups, including the police, the Magistrates Court and the Commissioner for Children. Women's shelters and support groups and services such as the women's legal service, the Yemaya Women's Support Service and the Hobart Women's Health Centre also took part. On the government's side were representatives from the Department of Justice and the Department of Health and Human Services, along with representatives from the office of the Hon. Julie Collins MP,
the federal Minister for the Status of Women.

The Tasmanian forum was a success and my office remains in regular contact with the attendees to monitor the progress of the issue. A death review process ensures that a broader perspective can be gained by assessing both the culture and the context of domestic violence deaths. This can reduce the incidence of domestic violence deaths by informing improvements to our systems and services. For far too many victims, domestic violence is deadly. We should never accept that these deaths are inevitable or unpredictable. As representatives in this place, we must commit to supporting policy which gives both— (Time expired.)

National Apology for Forced Adoptions

Senator CAROL BROWN (Tasmania—Deputy Government Whip in the Senate) (20:07): I rise in today’s adjournment debate to add my support to the national apology for those affected by the past practices of forced adoptions. The apology was delivered on 21 March this year by Prime Minister Julia Gillard on behalf of the nation. It acknowledged the wrongs of the past and was extended in good faith and deep humility to mothers, fathers and children affected by forced adoption practices. As the Prime Minister said on the day:

We offer this apology in the hope that it will assist your healing and in order to shine a light on a dark period of our nation’s history.

To those who have fought for the truth to be heard, we hear you now. We acknowledge that many of you have suffered in silence for far too long.

Forced adoption practices took place in Australia from the late 1940s until, in some cases, the late 1980s. The practice forced single mothers to give up their babies. This is indisputable.

It was a practice that affected all Australians—from the city and country, people born here, migrants and Indigenous Australians as well as those from different faiths and social classes. In most cases, the common theme was that these women were young and vulnerable. It is unimaginable in today’s society to think that such practices could take place, but they did. It has left many of the mothers suffering from this traumatic experience, so it was important that the government acknowledge the wrongs of the past.

The process that helped bring about this apology began with the Senate Standing Committee on Community Affairs’ inquiry into the Commonwealth’s contribution to former forced adoption policies and practices. The committee heard stories from mothers, fathers and children who had had the sacred bond between a mother and a child broken. This was a relationship broken by churches, families, medical staff and the state. In many cases it was forcibly broken by very traumatic means, including being coerced, drugged, tricked into signing adoption papers or being physically shackled to beds. These are indeed horrific circumstances, and should never, ever be forgotten. Indeed, the many women who shared their stories as part of the committee process are not just looking for an apology. They are looking for the acknowledgement that what took place was wrong and that these mothers did not choose to give up their child; they wanted their child to know that they had no choice and that the child was forcibly removed.

It is also important that whilst we acknowledge these wrongs and issue a national apology, we also provide resources to support people affected by forced adoption policies. The federal government will provide $5 million to improve access to specialist support and records tracing for
those affected by forced adoptions. We will work with the states and territories to help improve these services. We will also deliver $5 million so that the mental health professionals can better assist in providing support for those affected by forced adoption. We will provide $1.5 million for the National Archives to record, through a special exhibition, the experiences of those affected by forced adoption. This is an important step to ensure that the horrific events of the past are never repeated and the brave women who shared their stories about this horrible practice are never forgotten. Indeed, it was one of the measures that was asked for by the women who gave evidence to the Senate Standing Committee on Community Affairs.

I acknowledge here all of the states and territories who offered apologies to those people affected by forced adoptions. I understand the Northern Territory is yet to do that. I want to particularly acknowledge the Premier of my home state of Tasmania, the Hon. Lara Giddings MP, who showed great leadership and delivered an extremely heartfelt and moving apology.

In Tasmania, we have two courageous ladies affected by former forced adoption practices who have taken the lead on promoting this issue in the local community. Christine Burke and Margaret Singline appeared at the Hobart hearing as part of the inquiry. They both told their stories about what they had experienced and what they were subjected to. Christine and Margaret's stories were told by the media following the hearing. That led to a number of Tasmanian women contacting each other to share similar experiences. Together, Christine and Margaret recently started and launched a dedicated support group for Tasmanian women who had been affected by the practice of former forced adoptions. The support group, Connections, meets monthly and is the only one of its kind in Tasmania. (Time expired)

Cybersecurity

Senator BILYK (Tasmania) (20:12): As Chair of the Joint Select Committee on Cyber-Safety, I often hear stories of mobile phone technology being used in a negative way. Tonight, however, I would like to speak about a new, positive, online resource developed by the Women's Legal Service Tasmania. It was launched last month by the member for Franklin, the Hon. Julie Collins MP, Minister for the Status of Women, and is named, appropriately, the Girls Gotta Know app.

The Women's Legal Service Tasmania is a free community legal service funded by the Commonwealth Attorney-General's Department. The Women's Legal Service Tasmania provides advice, information, representation, referral and education for women. It is important for all people to know what their legal rights are, so this organisation plays a very important role.

Many people, particularly young people, do not know what their rights are, even for important things like housing or issues to do with money. The Girls Gotta Know app aims to change this. The app provides young Tasmanian women with legal information on six main categories: housing, employment, relationships, money, general information and partying and trouble.

The app is aimed at girls and young women aged between 14 and 24. This is an important time in the lives of young women. They often enter their first relationships, gain their first jobs, move out of home for the first time, get their first credit cards and may start receiving government benefits. It can be a time of great turmoil, and often of confusion and they may not know who to turn to for help. This app will provide them the important information they require to
navigate the legal issues that may occur at this time of life. With a mobile app, users can very handily access the information at any time, especially when an issue arises and they need instant access to that information. It works via a web interface, so it will work on a smartphone, no matter what the brand.

Looking at the app, I found that the employment section provides particularly helpful information. It provides information not only with regard to entitlements but also, importantly, on bullying, sexual harassment and discrimination in the workplace, issues that unfortunately still exist in today's society. The app is easy to understand, using very simple everyday language and avoiding legalese. It allows users to bookmark sections as favourites, so they can easily return to a section if they need to look at it again or share with a friend. The app also allows users to make notes which are securely stored by the app, which can then be referred to by the user at a later date. It is also entirely custom built, with original artwork, design and technical aspects. With the rollout of the NBN to Tasmania, we have an opportunity to capitalise on superfast broadband by producing high-quality IT products such as this app.

The app also provides information on how you can get in touch with the Women's Legal Centre to get more advice and assistance if needed. This app is another important resource for young women to access help and legal advice when they need it. Providing young women with the tools and resources to help them know their rights is an important way of empowering young women. Young people are increasingly turning to the internet and apps first for information, and new technology like this app is important to raise community awareness of women's issues. I congratulate Women's Legal Services Tasmania in actively using new technology to engage with young women on important topics.

Finally, I make special mention of the 10 girls from New Norfolk High School who helped develop this app. It is important that the people whom apps are designed for have an input into the final product, and the students should be congratulated for their efforts. I encourage all young women in Tasmania to download the Girls Gotta Know app to their phones or access it from the mobile website, m.girlsgottaknow.com.au. Hopefully, many young Tasmanian women will find it a valuable resource. This one clever, handy resource will provide them with all the information that they 'gotta know'.

Ready Flowers

Senator FURNER (Queensland) (20:17): This evening I rise to give my own, personal consumer alert. I know that Minister Bradbury does this on quite a few occasions. But this was an issue that was close to home and that affected me and my daughters and I decided it was time for me to do my own consumer alert. This is related to a company called Ready Flowers. Like all young people, my daughters access things on the internet. Sally did so on this occasion on 9 April to purchase some flowers, 25 long-stem roses for my oldest daughter, Stacey, who resides close to Gladstone. Sally jumped on the internet and went to the first site that popped up. If you Google it you will find it is one of the sites that pops up immediately and is first in the listings of florists. But I warn consumers out there about this particular company.

She placed the order and a few hours later received a response saying that her card had been debited $231. Not long after that, she received an email saying that they could not process the order because there was a supplier issue. In fact, this company was so
incompetent that they sought a florist down in Boyne Island, which is basically an industrial area. I am not familiar with any florists down in that particular area. They should have sourced the flowers from a florist up in Gladstone to get them to Stacey's house. The order was not even processed.

Bearing in mind that that was on 9 April, on 3 May Sally contacted the company about refunding the money, because no money had been returned to her credit card account. She subsequently contacted them on 6 May and still there was no money returned. It was the same old story over and over again. Being a proud dad of my two lovely daughters, I tried to do this. I got the run-around something chronic, I tell you. In fact, I called them this morning and was told that I would have to wait approximately 10 weeks for them to process the refund to my daughter's account. They then went on to claim that it will come down to the finance department looking at their daily budget and deciding whether the claim will be processed. My concerns have been raised with the ACCC. I spoke to them today. They are acting on this quite decisively, so I am impressed with their action in this area. If you go to the 'refunds and cancellations' section on the company's website, it indicates that requests for refunds will be processed within 14 days. They are not meeting their own requirements under their refunds policy.

This company has not gone unscrutinised by other organisations. The Sydney Morning Herald first uncovered this particular company. An article in that newspaper says:

Scores of complaints against an Australian online florist accused of ruining Valentine's Day surprises by failing to deliver has prompted coordinated action by fair trading bodies.

They shut it down. That gives you an example of what this company is doing and what they are trying to hide by shutting down their electronic communications. The Sydney Morning Herald article said that the company is owned by the Hegarty family from Western Australia. It is managed by director Thomas Hegarty, who now lives in Hong Kong. When you ring the company you get transferred to a call centre over in Hong Kong. That clearly demonstrates the shadiness of this particular company. The article went on to say:

According to an ASIC company extract, the company's directors Deborah and Peter Ross Hegarty are located in Manning in Perth. After reading this article, you realise that this company has been the subject of a number of warnings and copious complaints on the internet.

Consumers out there should seriously take note of Ready Flowers when they are booking flowers online, particularly on days like Mother's Day or Valentine's Day—or any other day—and consider other options. I have friends in the florist business. They run Sandgate Road Flowers. They do not do online bookings but they are a competent and very competitive florist that I know is trusted, on the north side of Brisbane. People should be looking in their own backyards and using florists there as opposed to the likes of Ready Flowers, which I and my daughter unfortunately did.

International Conference on Population Development

Senator MOORE (Queensland) (20:22): In 1994 the International Conference on Population Development—which we in the trade call ICPD—in Cairo was a milestone in the history of population and development, as well as in the history of women's rights. At that conference, which I have talked about a few times in here, the world agreed
that population is not just about counting people but about making sure that every person counts. That has actually become the theme of what we talk about.

At that conference over 170 countries signed up to a position that said we would take action into the future. We set out a program that included providing universal access to family planning, sexual and reproductive health services, and reproductive rights. We were going to aim to deliver gender equality—which is a very good aim—employment of women and equal access to education for girls. We were going to address the individual, social and economic impact of urbanisation and migration. And we were going to support sustainable development and address environmental issues associated with population change. Remember, we are talking about 1994.

When we review that program of action—and that has been occurring as we speak—in the 20-year review of the ICPD, all those demands continue to need work. Part of the review is to ensure that the nations that signed up for that compact, including Australia, will be part of the review. So detailed surveys have been sent out to all the countries, saying, 'Tell us how you are going with these projects,' and we have been very pleased by the response.

As you can hear, all those issues about which we spoke—development of women's rights, engagement with community over sustainability, urbanisation—then led to the later development of the Millennium Development Goals. And, as you know, Mr Acting Deputy Speaker, there is at the same time a review of the Millennium Development Goals to which we all signed up with great pride. They said that by 2015 there would be a reduction in world poverty, going on from the same issues talked about in Cairo. So, as we speak tonight, across the world the review is happening on exactly what is happening with our population development and the Millennium Development Goals with a view to asking, 'What is going to happen into the future?'—because, despite our best efforts, we have not achieved all the goals we set ourselves. We have achieved much, and part of the review is to look at exactly what has worked and where we have had progress, because we must celebrate progress—it is not always just about where we have not achieved.

But, if you take a snapshot of what is occurring in our world today, the figures continue to astound because we know there continues to be need. We know that too many women are dying in childbirth. We know that too many children are not reaching the age of four with health. We know that there are issues about sustainability all across the globe. We know about the issues of water and food security. And we know that we have not achieved gender equality. And one of the underlying principles of both the ICPD and the Millennium Development Goals was this issue of ensuring that women and men were equal across our globe. In fact, the 1995 Beijing Conference for Women talked about that as the outcome—women and men working towards our future together. We acknowledge that, without this action, there would not be a future. There was a clear understanding that those contracts to which the world's nations signed up were the only way we were going to be able to move into the future.

So, what should we do now? We have the processes going on through the UN to look at exactly what has happened with the ICPD and the Millennium Development Goals. We cannot afford to wait without taking further action. In fact, one of the real sorrows for me was that, when the Millennium Development Goals were put into place, they did not
include the issue of sexual and reproductive health rights. It took another five years to link the exact commitments we made in 1994 into the Millennium Development Goals because there is a constant push-back. When we talk about rights regarding sexual and reproductive health there is a fear from those who do not share a commitment to ensuring that these are rights. They are not something that should be given out without thought. They are not something to give—in fact, they are individual rights for all women and men.

Many of us who work in this field are working to ensure that, this time, when we develop whatever will be the program post-2015—we know there will be a program, as there is much goodwill and hope across the world to make sure that there is a future—the issues of sexual and reproductive rights must be included; otherwise, we cannot look at the women and children of our world and say that we have protected them to ensure that their rights are front of any program that will take place.

The figures we put into our project as facts and stark realities show that, for hundreds and millions of women and girls and for poor and marginalised communities, the promise from 1994 in Cairo is far from being fulfilled. Every day—and these are statistics that are public, to our shame—800 women die from pregnancy and childbirth related complications; 222 million women would like to prevent pregnancy but have no access to modern family planning; 80 million unplanned pregnancies result in 20 million unsafe abortions and all the trauma that that causes. One in nine girls in developing countries will be married before her 15th birthday. One in three girls under 18 will be married without her consent, and maternal mortality is the leading cause of death for adolescent girls in developing countries. Over 2,000 young people become infected with HIV daily. As many as seven in 10 women experience physical or sexual violence, and discrimination and persecution on the basis of sexual orientation persists.

These issues are in our face and what we need to do is ensure that we integrate the ICPD goals into the new global development agenda. That can happen. There cannot be any complacency. We lost that battle with the introduction of the MDGs and it took us seven years to catch up to ensure that goal 5B, which relates to sexual and reproductive health, was put into the program. The current global framework developing process is consultative. However, there is a strong need to ensure that a human rights based approach is maintained and reproductive health is adequately placed.

We all have a job to do in this program, because the only way that governments put forward their proposals is if parliaments work with their communities to share the knowledge. When you have the knowledge put out by those stark realities I just put into the debate, no-one can afford to turn their back on this discussion. We had the opportunity. Our government did prepare a response, and that is being considered now by the UNFPA. We need to see what is being done. We need to ensure that we continue to take our role as a donor nation in this process because our aid must be linked intrinsically to a rights based approach. Certainly, when it comes to the issues of sexual and reproductive health, this is something that must fit into our aid program so that the women and children of our world can have access to the same services we have in Australia, which, again, have not been openly given. People have fought to have these rights in Australia and we have achieved that. When we are looking at our future we need to make sure that when the post-2015 agenda is put in place sexual and reproductive health will be central to that
program and the issue of gender equity will also be the bottom line for any program that is being developed.

**Timor-Leste**

Senator MADIGAN (Victoria) (20:31): Last month, after years of interest, and in light of the recent parliamentary inquiry into Australia/Timor-Leste relations, I decided to undertake a little fact-finding mission of my own to our neighbour. During my time there I was fortunate enough to meet the President of Timor-Leste as well as a number of government ministers and senior elected and unelected representatives from a number of key ministries and institutions. I was also fortunate enough to meet with the everyday people who are a part of a nation that really needs them and with people who are strengthening their nation's capacity to become the strongest stable democracy in the region, surpassing Australia if we keep heading the way we are going.

I take this opportunity to thank two of my many new Timorese friends, who were extremely kind and welcoming of me into their country. They include Nelson, who drove me around and was always happy to laugh at my quips, and Marco, who provided me with a night-time tour of Dili and shared with me his personal experiences of the 12 November Santa Cruz massacre, in 1991.

In 1999, the people of Timor-Leste voted for a free, independent and democratic Timor-Leste. They said to the world that they wanted to add to it and not be used by it. The Timorese people were ruled by the Portuguese for between 400 to 500 years, until 1975, when Indonesian forces, with the consent of the Australia government, invaded Timor-Leste and ruled them with oppression and neglect, until 1999. During this time there were at least 100,000 conflict related deaths as well as a further 180,000 deaths due to conflict related hunger. These figures are seen to be conservative and do not allow us to truly feel the pain, anguish, desperation and the strongest sense of loss that the Timorese people felt, with our government's consent and knowledge.

Finally, on 20 May 2002, the people of Timor-Leste became a part of a globally recognised democratic independent state. This date is also a shared milestone date for the Australian and Timorese governments, because it was on this date that the Timor Sea Treaty was signed. It can be said that the Timorese government did not truly understand the ramifications of the ratification of this treaty. The Australian government tied the Timorese government from head to toe in their final moments of duress. The Australian government arranged that the Timorese government sign a treaty that any other experienced democratic government would not have signed in the most trying of times.

It is the topic of bilateral relations at a government-to-government level that I address this evening. There is currently an inquiry being held by our Joint Standing Committee on Foreign Affairs, Defence and Trade into Australia's relationship with Timor-Leste, and this topic is precisely the first point in the terms of reference. Unfortunately, submissions ended before my fact-finding mission had begun. Our relations in recent times with Timor-Leste have been strong—not because of our government but, rather, because of our people. In 1975, when our journalists went missing from Balibo—massacred—we did not hear a boo from our government. Rather, we heard rumblings of concern from average Australians. In the 1990s, our government had to be dragged kicking and screaming to act, again, by global grassroots campaigns coordinated by NGOs, funded and supported by everyday citizens, who took the initiative to do something about it.
In 1999, after we did not take the necessary security precautions during the UN elections, which led to further massacres, turmoil and the destruction of 80 per cent of Timor-Leste's infrastructure, finally our government did the right thing and sent in peacekeepers: Australian men and women who worked tirelessly and saw firsthand what will be required to lift this young nation up from its knees. However, at the next opportunity our government was given to help out—to strengthen ties with the Timorese people and their government—it absolutely screwed them over. On their day of independence, 20 May 2002, a day we should have been proud to have helped them achieve, we made them sign a treaty that stacks the odds in our favour in the Joint Petroleum Development Area. Senators may object and claim that they receive 90 per cent of the revenue and we receive only 10 per cent. That is a fact, but here are some others. Fact: the Timorese government paid 90 per cent of the cost of development and maintenance of the JPDA facilities. Fact: if our maritime borders were drawn according to the median line, we would not have any claim to the JPDA. Fact: when an Australian vessel docks against the JPDA platform it is considered clean; when a Timorese vessel does, it is considered dirty. Fact: the pipeline from the JPDA goes to Darwin, not Timor-Leste.

I could go on, but I think it is important that I pay further tribute to the thousands of Australian soldiers, men and women, who have served in Timor-Leste to help build up this nation in order for a lasting friendship to develop and to benefit the region, to increase regional stability. It is also fitting to pay tribute to the tens of thousands of Australians who have gone to Timor-Leste to help them with their capacity building, volunteering in their schools, their clinics or within their government.

The CMATS agreement is another area of concern. At the moment, it would seem that it is going nowhere and that, should it be left much longer, it will be ripped up. This area is on their side of the median line. If we were smart, we would give in to their requests and have a pipeline go to Timor-Leste. If we were ethical, we would renegotiate the boundary and make a fresh start in what should always have been honest and friendly relations with our young democratic neighbour—a country where the people look up to us for transparency and fairness. Little do they know.

During my time in Timor-Leste I met a number of senior government ministers as well as the President. They know their stuff, and they are getting the right advice. At the beginning of one very important meeting this particular senior minister stated, 'We are at a turning point in relations with Australia.' During my meeting with the President he informed me that Timor-Leste is off the security council's agenda. It is my opinion that this further highlights that Timor-Leste is capable of standing on its own two feet, but it seems that Australia is holding it back by holding its potential oil revenues from the Sunrise fields to ransom. We must stop being childish about this. We must acknowledge that other countries within our region have natural resources of their own and that we should not simply bully them into sharing them with us just because we are much larger. Good relations with Timor-Leste should be more important to us than their oil. In 2011, the Timorese government rejected the Chinese government's request to build a spy base in Timor-Leste. How long will they continue to act in our interest with these sorts of decisions? And how long will it be before they may need peacekeepers again, possibly? And will they call on Australia or China?

Then we go on to West Papua. What we are doing here today in West Papua is clearly
an act of complicity in the crimes committed against the West Papuan people. We give hundreds of millions of dollars to the Indonesian government to support their madrasas—their schools. We give Hercules C130s to them for minimal cost and we turn a blind eye to the atrocities being conducted on our doorstep. In effect, we supply the means and the money for the children of West Papua to be forcibly indoctrinated into the Islamic faith against the will of their parents. Only a few years ago our government rightly apologised for the mistakes that led to the Stolen Generations. How long will it be before our government apologises for its complicity in the stolen generations of the West Papuan people?

Senator Carr, our foreign aid is assisting the Indonesian military in its relentless oppression of the West Papuan people. On Thursday I will have some questions for you to answer, and I do not want to hear the usual cowardly and deceptive response about not answering questions on foreign affairs in the Senate, or of simply denying that West Papua even exists. I and the Australian people expect answers. The shame being brought on this nation as a result of successive governments turning a blind eye to the horrors being done with your blessing is disgraceful. Neither I nor the Democratic Labor Party will take a step back from our position. To do so would be accept complicity to genocide.

Institute of Public Affairs 70th Anniversary

Thatcher, Baroness Margaret

Senator SMITH (Western Australia) (20:41): Since the Senate last met, in March, there have been two significant events that are worth reflecting on. The first of these occurred in Melbourne on Thursday 4 April, when the Institute of Public Affairs marked its 70th anniversary. I was privileged to attend, along with some of my colleagues on this side of the chamber. Alas, I did not see any senators from the Labor government or the Greens in attendance. Given that the evening was essentially a celebration of freedom, and given the recent record of those two parties in that area, particularly in relation to Australia's media, perhaps it is just as well they were not present! It was a significant occasion. Seventy years is long time for a think tank to be in business in this country, especially in this era of 'instant activism', where fly-by-night think tanks seem to spring up, launch a website and a wristband, make a YouTube video and then slip quietly back into obscurity.

The IPA has most definitely stood the test of time because, unlike so many of those organisations that are quick to grab the mantle of 'think tank' for themselves, the IPA actually makes thoughtful contributions to policy debate in our country. Throughout the evening we heard a variety of speakers, including the Leader of the Opposition, Tony Abbott, and the keynote speaker, Rupert Murdoch, reflect on the IPA's crucial role in protecting the freedom of Australia's many citizens. Indeed, the IPA, founded in 1943, predates the modern Liberal Party established by Sir Robert Menzies. Thus, it plays a leading role in informing the policy debate not only within the Liberal Party but in our community more broadly.

Senator Thistlethwaite interjecting—

The ACTING DEPUTY PRESIDENT (Senator Fawcett): Senators on my right are reminded that senators on their feet have the right to be heard in silence.

Senator SMITH: Labor senators need not be embarrassed. Many of those on the opposite side of the chamber like to caricature the IPA as some sort of subsidiary of the Liberal Party. History suggests otherwise. In the true style of an honest
broker, the IPA's interventions in policy debates are fearless and have always placed the defence of core principles ahead of what might be considered politically convenient for a particular party. That is how it should be. I contend that a think tank is not doing its job if it is not pushing the envelope, challenging the conventional wisdom or asking questions that certain parties, whether of the left or of the right, would prefer to gloss over. Thus was the case when the IPA and free-market Liberals like John Hyde questioned Australia's approach to car manufacturing in the early 1980s under the Fraser government. Thus were the IPA's criticisms of aspects of Howard government policy, especially in relation to workplace relations. Thus has been the case over the past couple of weeks, when the IPA has been sharply critical of some elements of the coalition's current policy platform.

Yes, the IPA has been critical of the Rudd and Gillard governments—given the target-rich environment provided by Labor's incompetence over the last five years this is hardly surprising—but the fact remains that the IPA has shown itself, over its 70-year existence, to be a staunch defender of principle over partisanship. Long may that remain the case.

Of course, in its 70th year, the IPA has enjoyed two of its most significant victories. The first of these was the proposal by the now former Attorney-General, the member for Gellibrand, to reform Australia's antidiscrimination laws in a manner which would effectively have made it illegal to offend someone. Whilst we all have a responsibility to maintain a civil public discourse, the implications for freedom of political speech and thought in what Labor proposed were deeply troubling and alarming to all who knew of them. I have no doubt that the IPA's extensive campaign to highlight the dangers of the proposed laws and to campaign for their defeat was instrumental in Labor's decision to back down.

Also this year, we witnessed Senator Conroy's attempts to regulate the content of Australian newspapers and otherwise to crack down on press freedom—one of the most Orwellian and dangerous proposals that any government has ever brought before this parliament. The Institute of Public Affairs was front and centre of the campaign to defeat Labor's disturbing proposals and, once again, the government was forced to back down.

These victories are all the more remarkable when you consider that the IPA is not an especially large organisation. It has just 20 staff, making it much smaller than, for the sake of comparison, most trade unions. Yet the institute consistently runs professional campaigns designed to alert the community to threats to freedom, and produces high-quality publications which push the boundaries and encourage new ways of thinking about contemporary policy challenges. This is a legacy well worth celebrating, and the IPA's ongoing capacity for renewal and its strong membership growth over recent years will mean there will be many more milestones to come. I congratulate the IPA's executive director John Roskam, the board and the staff, on their significant achievements to date, and look forward to many more years of fruitful work and policy activism.

On a much less celebratory but no less significant note, this is the first sitting period for the Senate since the death of former British Prime Minister Margaret Thatcher. Time does not permit me to place on record the full scope of the transformational nature of Margaret Thatcher's period in office. Whether one looks at Britain's economy, at the entrepreneurial spirit that she fostered in
so many of her citizens or, more broadly, at her impact on the world stage—with the collapse of communism in eastern Europe—it is impossible to escape the clear conclusion that in the sweep of post-war history, Margaret Thatcher was a towering figure.

Along with Ronald Reagan, Margaret Thatcher was perhaps the original conviction politician—someone who was prepared to turn orthodoxy on its head, to question consensus where it had clearly failed to deliver beneficial outcomes, and to take enormous political and personal risks in the pursuit of those things she firmly believed in.

The path of genuine reform is never easy, and for her troubles Margaret Thatcher was routinely vilified by her opponents, by the media and even by some in her own political party. Moreover, almost a quarter of a century after she departed Downing Street, Margaret Thatcher is still the Prime Minister against whom others—Conservative and Labour—are regularly compared.

In the immediate aftermath of her passing, there was a good deal of commentary about the 'divisive' nature of her period in office, and a heavy focus on the misguided individuals who saw fit to celebrate the moment. Those individuals are not worthy of comment. However, their actions did give me cause to reflect on the wise words of one of Baroness Thatcher's predecessors at No. 10 Downing Street, Sir Winston Churchill, who once observed: 'You have enemies? Good. That means you've stood up for something, sometime in your life.'

It is hard to think of a more appropriate epitaph for this extraordinary leader. And despite the carping of the naysayers, on the day of Baroness Thatcher's ceremonial funeral in London we saw thousands upon thousands of honourable British citizens standing up for her, lining the streets and offering their own silent, respect-filled acknowledgement of all she had done for them and their country. It was a dignified tribute to a political figure who not only defined a particular era in Britain, but whose vision, commitment to freedom and determination to succeed will continue to inspire generations in many countries for the years to come.

**Chisholm Electorate**

**Senator KROGER** (Victoria—Chief Opposition Whip in the Senate) (20:49): I rise tonight to express my frustration and—I have to say it—dismay at how out of touch this Labor government is with the lives of all Australians. As a Victorian senator I speak in particular of Victorians.

Every day my electorate office is contacted by people who are fed up. They are expressing their concerns about the increasing costs of living—in particular their increasing household bills—and about the reduction in health services in their areas and the increase in traffic congestion that they are dealing with. They comment to me that when they raise those concerns with their local member Anna Burke, the member for Chisholm, those concerns seem to fall on deaf ears.

They, sadly, feel neglected. And so they should feel that way. Only last week, after another week of broken promises from Labor, we were flooded with calls from families who were counting on receiving some $600 in family tax benefits, which they had been guaranteed would be a trade-off for the imposition of a carbon tax, which would, in turn, increase their costs of living and their household bills. They will not receive this money because, as we have heard only tonight, with the handing down of the budget by Treasurer Wayne Swan, this government cannot be trusted to keep its word, and it certainly cannot be trusted to manage the Australian economy. No doubt, many of
these families after hearing of today's lacklustre budget will be calling my office again in the morning, further distressed at how poorly the government has been managing—or mismanaging—their hard-earned taxpayer dollars.

My electorate office is in Burwood East in Victoria, which is in the south-eastern corridor of Melbourne. It is within the seat of Chisholm, which is currently held by the Speaker of the House of Representatives, Ms Anna Burke. Only last Tuesday Ms Burke, the Gillard government, broke a promise to no fewer than 6,647 families in Chisholm, families who Anna Burke had written to in the past promising that an increase to the family tax benefit part A was on its way and who were counting on her to honour her word so that they could plan their family budgets accordingly. Let me reiterate: that is 6,647 families who will not receive the helping hand they need because this Labor government does not know how to be fiscally responsible. That is 6,647 families who Ms Burke, the member for Chisholm, has left in lurch because her government is not interested in supporting families, small business or, may I say, it appears anybody else in the local community. We have heard locally what the Speaker, Ms Burke, is interested and concerned in. I can tell you quite frankly that it is not measures that will improve the quality of life for her constituents.

When the local paper recently asked Ms Burke, the Speaker, to nominate the No. 1 local issue for residents, do you know what she said? It was not about cost of living; it was not about accessing hospital beds at Box Hill Hospital, no. She said the No. 1 concern of people in Chisholm was 'ending the live export trade and animal cruelty'. I was pretty staggered when I saw that response given to the journalist of the local newspaper because I have received a lot of correspondence and a lot of phone calls from many people and some of those do express concern about perceived animal cruelty. But I can assure you that not one of them has suggested to me that it is the No. 1 core issue that is affecting their lives on a daily basis—not one of them. It is not even in the top 10 of the things that most impact their daily lives as they live in Chisholm and go about their daily lives. Their concerns are about the cost of living, about balancing their family budget, about having access to appropriate and sufficient health services and, increasingly, about the fact they have to spend precious family time being stuck on the Eastern Freeway—traffic congestion is a huge problem in this area—instead of spending that time with their families at home.

So what are the concerns of the Speaker, Ms Burke, may I ask? Granted, she did briefly mention cuts to health services to the local paper in an attempt to shift the blame for the cut in federal funding on to the state government, and we have seen this time and time again. It is a pattern of behaviour that we have evidenced across many portfolios. She even had the audacity to take out advertisements congratulating herself. She paid for an ad in the local paper to congratulate herself for restoring a fraction of the money that her government cut from health services. The traffic congestion issue on the Eastern Freeway is a huge issue in this area. Those who may be listening to this who live in Chisholm understand what I am talking about because every day they live the commute to work and back, and the commute to schools and back. They live it and they know what they have to deal with.

Ms Burke claimed in the Age only yesterday that the East West Link road tunnel—which has received huge backing from the state government and which has been assured through recent funding announcements in the state budget only last
week—has not been raised in her electorate at all. I have to ask: where have you been, Ms Burke, that not one constituent has raised this as an issue and applauded the Liberal state government, the Napthine government, in determining that this is the No. 1 infrastructure issue for the state? She said that no one has raised traffic congestion on Melbourne’s Eastern Freeway. All I can say is that she must have her head in the sand because it was the Labor Brumby government that commissioned Sir Rod Eddington to look into infrastructure requirements for a long-term strategy for the state of Victoria. It was Sir Rod Eddington in 2008 who was commissioned for this inquiry and who brought down a very commendable review that recommended that one of the key infrastructure projects that would put Victoria on the map and make it a far more productive state was the East West Link, which runs through and directly affects the electorate of Chisholm.

Whilst the Speaker, Ms Anna Burke, has clearly had her head in the sand about this, I have to say that the local residents of Chisholm have not. The federal coalition has pledged $1.5 billion to help get this critical piece of road infrastructure built. This Labor government has refused to work with the Victorian state government on the East West Link. Clearly, Ms Burke does not consider it to be a priority in the electorate and she certainly has done nothing to advance the cause for her constituents in the area. She certainly has shown that she has no concern about the families struggling with household bills or the employees working for over 600 manufacturing businesses in Chisholm, who are unsure about whether they will have a job down the track, such is the lack of security in the manufacturing industry in the area.

So I ask: what does she care about? What has become very apparent is that she cares about distancing herself from unpopular policy decisions made by this Labor Gillard government in an attempt to hold on to her seat. She is blatantly using—may I say, shamelessly so—her role as the Speaker to do just that. Just this month, she told the local paper—

The ACTING DEPUTY PRESIDENT (Senator Ludlam): Senator Kroger, I ask you to withdraw your reflection on the Speaker of the other place.

Senator KROGER: I will take your advice on that, thank you. Just this month, in an interview to the newspaper, the Speaker said she had ‘grave concerns’ about the federal government slashing $2.8 billion from the tertiary sector. A week later, the same newspaper quoted her—as saying she was ‘deeply uneasy’ with Labor’s asylum seeker policies, but in the same interview she was quick to point out that she was unable to take a stand in parliament due to her impartial role as Speaker.

This has been well and truly reflected on the public record. She has conducted interviews, and in fact I attended such an interview with her, where she has claimed that she is uncomfortable with mandatory detention of asylum seekers, a policy that stretches back to the 1990s and the Keating Labor government. If she had her way, she has said, she would release asylum seekers into the community. She does not believe in the deterrence of offshore processing and would like it to be dismantled. In fact, I point out that before she was Speaker she voted for the Gillard government’s dismantling of the Howard government’s Pacific solution.

I would like to note, though, for those who are affected by the fiscal irresponsibility of this government and the impact it is having on the delivery of services in areas such as Chisholm, that this is a failed policy which
has already totalled $6.6 billion in blow-out costs over the last four years, money that could have been very well directed into the East West Link, into health services in Chisholm and into many other projects. It certainly would have gone a long way to eliminating the Clayton Road level crossing that many local residents risk their lives at day in, day out because it is a notorious accident point that needs to be prioritised. It also could have been directed to the construction of the new Monash Children's Hospital, for which there is huge demand in the area. A lot of business cases have been put forward for it, but the government has certainly not prioritised or supported it.

The attempts by the Speaker to distance herself by virtue of her position as Speaker from the deliberations and policy decisions of the Prime Minister are transparent and misleading. That is because these policy decisions were taken before she was elected to the role of Speaker. It was the now Speaker, Ms Burke, who voted for the carbon tax. It was Ms Burke who voted for the dismantling of the Howard government's Pacific solution in dealing with border protection. Every single vote in this parliament was taken by the government before she was in the role of Speaker. So to suggest that she has no role in the decisions that this Gillard ALP government has taken is purely misleading. History will show this and the record speaks for itself. She has supported all the decisions that have brought us to where we are today and have lead to the type of budget that we saw brought down tonight.

The people of Chisholm and, indeed, the people of Australia deserve a lot better. I am determined that they be delivered a lot better. I demand that all those who are seeking re-election at the next federal election, on 14 September, including the Speaker, Ms Anna Burke, if she is one of those, come clean with the Australian public and be honest for once in their lives.

**New South Wales Labor Government**

**Senator RHIANNON** (New South Wales) (21:06): On 4 February 2009 journalist Alex Mitchell wrote:

NSW Primary Industries Minister Ian Macdonald is standing by the poker machine waiting to pull a jackpot for the coal mining industry. But who will get the prizes?

This was 16 months before Mr Macdonald resigned and well before he was summoned to appear before ICAC. But already a question mark hung over his conduct as an MP and questions were being asked about whether the Labor minister was delivering the goods. The New South Wales corruption watchdog is now providing an insight into how lucrative those goods were.

I was a Greens MP in the New South Wales Legislative Council when New South Wales Labor was becoming increasing associated with dubious activities that were undermining public confidence in the New South Wales planning process, our democratic system and the Labor Party itself. I and some of my colleagues put in submissions to ICAC about potentially corrupt activities we had become aware of. One of the ministers that my office received many complaints about was Mr Macdonald. He held various ministerial positions. It was in his role as minister for mineral resources that had people most worried. The complaints go far beyond what has been covered by the recent ICAC hearings.

Working closely with the right and left factions of his party, Mr Macdonald was involved in a range of activities which need close examination. It seems clear that Mr Macdonald played a role in bringing the financial muscle of the mining industry to the cabinet table. While the former Labor Party member is becoming known far
beyond New South Wales borders for alleged corrupt allocation of mining leases, it was not just a favoured section of the big end of town that benefited from Mr Macdonald's largesse. The New South Wales government also picked up mining money in unusual ways. BHP Billiton paid $125 million for an exploration licence on the rich black soil of Caroona on the Liverpool Plains and China Shenhua paid $300 million to operate in neighbouring Watermark.

Prior to these payments, the highest fee for an exploration licence my office could find was $10 million. Why the sudden increase? What long lunches were held to smooth out these deals? What promises did the former minister make in return for this money being paid to the New South Wales government? Mr Macdonald's role as architect of this new engagement with the mining industry warrants a close examination. These funding streams would have made him popular in cabinet and may help explain why so long Labor headquarters stood by him and why he was kept on as minister. Meanwhile there was growing community concern with his activities.

I had enormous concerns about the implications of the government taking multi-million dollar fees from mining companies for exploration. The conclusion many fighting these mining plans came to was that full-scale mining was a done deal once the money was handed over. The arrangement with China Shenhua, a Chinese government company, was seen as highly unusual. In August 2008, former Minister Macdonald granted an exploration licence for five years over about 190 square kilometres of prime agricultural land on the Liverpool Plains. In return this company, the largest coal mining enterprise in the world, agreed to a $300 million payment to the New South Wales government and an additional $1 million annually for five years to a new regional community trust. On top of that, China Shenhua agreed to invest $175 million for transport infrastructure and an additional $200 million if a mining lease was eventually granted.

In the New South Wales parliament on many occasions I questioned Mr Macdonald about his portfolio and spoke about my concerns. At the time it seemed clear to me that his responses were facetious and evasive. We now know that they were also misleading and at times dishonest. Mr Macdonald had regular lines he would rely on and use bombastically. He would boast about what he called 'rigorous' environmental conditions imposed on mining companies. In a media statement issued when China Shenhua were granted an exploration licence, the former minister said: There is strict environmental regulation, which ensures that exploration does not have any significant impacts on aquifers.

And he would make out that all the licence covered was exploration and it would not necessarily lead to full-scale mining. However, his deals on the Liverpool Plains with some of the world's biggest mining companies suggest that these companies had a clear understanding that exploration was the first stage in expanding to full-scale mining.

Mr Macdonald was never able to explain why China Shenhua, on top of paying the $300 million upfront fee, put up $175 million for transport infrastructure. Within a year of handing over this money, the Chinese government company was purchasing prime agricultural land in the Watermark area, where it had exploration rights. This suggests that China Shenhua, a company known for operating its own railways, ports and power plants in association with its mining operations, was very confident that it would be granted the right to mine on the Liverpool
Plains. Why else would the world's largest mining company put so much money into activities clearly designed to assist local mining operations before it had approval to open a mine?

These deals with mining companies where Mr Macdonald gained more than half a billion dollars for the New South Wales government in just two mining exploration projects reveal what a cash cow the former minister had created for the then New South Wales Labor government. Meanwhile the planning and approval process for New South Wales coalmines was becoming a farce. At this time Mr Macdonald, in his capacity as a New South Wales minister, made five work-related trips to China—one in 2005, one in 2007 and three between January 2008 and July 2009. Very few details about agreements reached on those trips with the Chinese authorities and the Chinese government owned companies were ever released. Considering the cloud that now hangs over the former mining minister, all materials associated with these trips—his diary and meeting notes, and documents about agreed areas of cooperation—should be made public.

In 2009 when I moved the Greens Mining Amendment (Safeguarding Agricultural Land and Water) Bill, a majority of our upper house MPs indicated their support, but it was voted down 20 votes to 19. Farmers, particularly from Gloucester, the Liverpool Plains and the Upper Hunter, waged a strong campaign in support of the Greens bill. A couple of hundred took buses to Sydney on the day the bill was to be voted on to rally in support. This community action put pressure on all parties to support the Greens bill. The Nationals were the first to come on board, indicating that the coalition would vote for the bill.

At the same time, Mr Macdonald was engaged in lengthy negotiations with the Shooters MPs. In meetings with farmers, the conservative crossbenchers indicated that they supported the bill, but in the House they stated that they would not vote in favour as it was a Greens initiative. I do not know if Mr Macdonald and Mr Brown, leader of the Shooters Party, did a deal on that day. Certainly that is what many suspected. The ongoing support the Labor government provided to shooting associations, the funding provided to the New South Wales Game Council and the watering down of gun control measures certainly delivered on the Shooters' priorities.

I first saw the questionable relationship between Mr Macdonald and Mr Brown on display in the New South Wales upper house on 10 May 2007. During the 2007 election there had been growing concern amongst some residents in the Southern Highlands that the Shooters and Labor had done a deal about the proposed Hill Top regional shooting complex. On that day in May, the first sitting week after the 2007 state election and the first opportunity the Shooters' MP had to ask a question, Mr Brown asked Mr Macdonald, as Minister representing the Minister for Sport and Recreation, about the project. Despite the fact that the planning process for the project had not been finalised, Mr Macdonald confidently answered that approval would be in by the end of June that year and set out considerable details about how the project would proceed. The approval did go through, but why was the minister so confident at this time, before the shooting range plan had been properly assessed?

The New South Wales government put up $10 million of public money and allowed the range to take over 10 square kilometres of Crown land. However, the minister should not have been so confident in his response to
Mr Brown's question. Two years later, the local community that opposed the shooting range had a major win in the Land and Environment Court, when Justice Biscoe upheld the appeal by the Hill Top Residents Action Group and revoked the minister's approval.

But then came a move that came straight out of the handbook of how conservative governments handle court decisions that thwart their agenda. The then Minister for Planning, Tony Kelly, amended the state environment planning policy to allow a shooting complex in an environmental zone. The Hill Top shooting range, despite the fact that it had undergone more than a tenfold increase in shooting operations, placing enormous noise pollution on locals, was then issued with a new approval to bypass the court's original ruling. This pattern of changing the law to head off prospective legal challenges, particularly with regard to critical environmental matters, became a hallmark of the Carr Labor government with the first examples happening soon after they were elected in 1995. In 1997 Labor did this on three occasions within one year to sidestep possible adverse court decisions. One was a Japanese consortium plan to reopen the Port Kembla copper smelter, another was an approval for the Bengalla mine in the Upper Hunter, and the third covered the expansion of the Kooragang Coal Terminal at Port Newcastle.

In 2008, with the backing of cabinet, Mr Macdonald rushed a bill through parliament to amend the Mining Act in order to sidestep a decision of the New South Wales Court of Appeal. The mining industry lobbied for the changes. Speaking in the Legislative Council on the bill, I identified the benefits it set up for the mining industry over landholders, the problems with retrospectivity, and identified Felix industries and White Mining as having 'some good allies' in the government. What I did not know at the time was that the two mining executives associated with these companies, Travers Duncan and Brian Flannery, jointly received $1 billion because of the change to the legislation. The coalition voted with Labor to pass the amendments that Mr Macdonald had introduced to the Mining Act. The Greens opposed the changes.

In 2010 Mr Macdonald was at it again, using legislation this time to overturn a community win in the court. Farmers, with the support of country and city folk alongside the Greens, did have some breakthroughs in their work to protect farming land. A standout and historic action at the Rossmar property on the Liverpool Plains involved local farmers in a 615-day blockade to prevent BHP Billiton conducting exploration. When these farmers took their case against the exploration activities of BHP Billiton to the Supreme Court, it was recognised that for years mining companies had failed to uphold landholder rights. BHP Billiton lost the case.

Responding to the litigation, Mr Macdonald did not act to ensure mining companies upheld the law. Instead, in 2010 he introduced legislation, the Mining and Petroleum Legislation Amendment (Land Access) Bill, that removed the obligation on miners to notify all landholders of their exploration plans and robbed the ability of landholders to take legal action against miners if they breached their exploration licence conditions. Responsibility for this bad decision did not just rest with Mr Macdonald. He was one minister in a government that regularly put the interests of mining companies above communities, food security, water and the natural environment. The Nationals again showed that when the chips are down they also put mining companies before farmers' interests. The
coalition voted with Labor to change the land access bill. In 2009 I questioned Mr Macdonald in the New South Wales upper house about his work with Mr Eddie Obeid, another former New South Wales Minister for Mineral Resources. In September 2008 Mr Macdonald had announced that the Bylong Valley would be opened up for coal exploration. His answer to my question about Cascade Coal's proposed exploration near Bylong and any conversations he may have had with Mr Obeid were misleading. Mr Macdonald's reply to my question was:

The process was done entirely by the department ... I delegated all authority.

When I again asked the former minister a similar question in May 2010 about his conversations, he said that the first he knew about this mine was when he read about it in the Australian Financial Review.

On 31 January this year, Mr Moses Obeid, the son of Mr Eddie Obeid, told ICAC that Mr Macdonald had given him information in mid-2008 that the Department of Primary Industries would open a tender for coal exploration in the Bylong Valley. Mr Eddie Obeid had helped set up a meeting for his son Mr Moses Obeid with the then minister. The information about a new coal exploration licence was again conveyed by Mr Macdonald to Mr Moses Obeid in a phone conversation in July 2008. Coal mining in this area has been identified as being worth at least $75 million to the Obeid family.

Despite having passed on this inside knowledge to a local landowner and personal acquaintance, in the New South Wales parliament Mr Macdonald gave disingenuous information on his involvement in response to the two questions I put to him in 2009 and 2010. In the New South Wales upper house, when I moved in 2010 for the release of documents relevant to communications between Mr Macdonald in his capacity as mineral resources minister with representatives of China Shenhua about coal exploration in the Gunnedah Basin and plans for a new coal fired power plant in New South Wales, Mr Macdonald won the support of the Shooters and Fishers Party MPs and Reverend Fred Nile to defeat the motion. Transparency was again limited.

Interestingly, the debate and vote on this motion showed the double standards of the Nationals. They would not support any call for documents on coal exploration in the Gunnedah Basin, only for documents on a coal fired power plant. Coal exploration and mining approvals under Mr Macdonald were already under a cloud by this stage. There was growing opposition by farmers to the mining plans, but the Nationals regularly failed to vote on any measure that put pressure on mining companies.

The controversial Doyles Creek was also already in the news. We now know that the exploration licence for this mine was granted on Christmas Eve of 2008 without going to a proper tender. But the Nationals, despite strong lobbying from farmers, voted with Labor and the conservative crossbenchers to keep under wraps the dubious deals unravelling between mining companies and NSW authorities.

My colleague in the New South Wales upper house Greens MP Sylvia Hale in May 2010 called on the then Premier, Kristina Kenneally, to request that ICAC investigate the potential conflict of interests that existed between the Labor MP Eddie Obeid and his family property holding in the Bylong Valley and whether Mr Obeid had been given any inside information on the expression of interest process initiated by the New South Wales Department of Primary Industries to bid for a coal exploration licence in the
Bylong Valley. I would like to pay tribute to Ms Hale who, in her capacity as the Greens New South Wales spokesperson on planning, displayed enormous courage in taking on Labor ministers and exposing their dishonesty. The years of hostile accusations that former planning minister, Tony Kelly, threw at Ms Hale as she pursued him over his questionable activities on projects such as Killalea, Currawong and Wollongong became symptomatic of the depth of Labor's problems and highlighted why an inquiry into allegations of corruption in planning decisions was needed.

When a New South Wales upper house inquiry into allegations of corruption in planning decisions was held in September 2009 Ms Hale asked Sydney property developer, Ron Medich, if he had any involvement in the murder of Michael McGurk.

I will continue these comments in a later adjournment speech, thank you, Mr Acting Deputy President Ludlam.

Malaysia

Senator XENOPHON (South Australia) (21:26): I rise tonight to speak on an issue of critical importance to our region, one that has been cynically dismissed by the Australian government. On 5 May 2013 our friend and neighbour Malaysia held its 13th general election. Despite securing only 49 per cent of the official vote—and I will get back to that issue of the so-called official vote later—the ruling coalition, Barisan Nasional, won 133 of 222 seats, which was almost 60 per cent of the seats, and is set for five years in office.

The opposition leader Anwar Ibrahim described the election as, 'The worst electoral fraud in our history'. But it is not a case of sour grapes. In fact, in an interview on ABC's *PM* program the week prior, Mr Ibrahim stated:

We're not asking [the Australian Government] to support any party. We're asking them to remain consistent with Australian foreign policy position in support of freedom and democracy.

Why do you make so much noise about Iraq? Or Afghanistan? Or Myanmar? And mute it with regard to Malaysia? Is it business interests or investments?

Mr Ibrahim could well have included Fiji in that list, or even further afield to Georgia where Australia sent official election observers last year. I note that Senator John Williams is in the chamber and was one of the official election observers.

Last November in Kuala Lumpur Anwar Ibrahim gave me a handwritten letter to pass on to Foreign Minister Senator Bob Carr, which I duly did. That letter was an impassioned, personal plea for Australia to play its role as a leader in the region and as a beacon of democracy to ensure that the Malaysian elections were clean and fair. When you look at the history between our two countries it is a deep history of friendship and of close ties. It is a history where Australian troops fought side by side with Malaysians during the Malayan insurgency in the 1950s. We have had strong cooperation in trade and in defence, and we have had hundreds of thousands of Malaysian students welcomed in Australia to study at tertiary institutions, and Australia has been better for that. Yet, we have ignored the pleas. Back then, Foreign Minister Carr was as dismissive over Malaysian democracy as he is today with the personal plea given to him by Anwar Ibrahim. He deflected the concerns of Malaysia’s opposition leader as being something that Australia could do nothing about. When pressed on ABC Radio he asked, rhetorically, of the journalist Sabra Lane:

Do you want an amphibious landing on the east coast of Malaysia?
Our Foreign Minister ignored the reality that Australia can and does have a role in the region and beyond as a champion of democracy. Foreign Minister Carr’s statements about Fiji and other nations have been testament to that, in addition to Myanmar, Iraq and Afghanistan. Unfortunately, Mr Ibrahim’s fears were well founded with the election held on 5 May.

Ambiga Sreenevasan, the head of Bersih—the Malay word for clean—the independent umbrella group of dozens of civil society organisations in Malaysia campaigning for clean and fair elections, called the election and the ruling party’s campaign as the 'dirtiest yet.' Bersih, the opposition and many others raised serious concerns about the conduct of the ruling coalition and Malaysia’s election commission—meant to be impartial but it is anything but that—in the months leading up to the election, and on election day itself. These allegations included concerns of electoral roll and ballot paper irregularities, vote rigging and buying, a flawed nomination process and the use of indelible ink—and I use the word 'indelible' loosely—that could be easily rubbed off.

It has been reported in the weeks leading up to the election that at least 40,000 people were flown from Borneo to the government held states of Sabah and Sarawak to vote in these constituencies and elsewhere throughout Malaysia. It is interesting to note that in Sabah and Sarawak, because of a quirk of the Malaysian immigration laws, opposition members cannot have access to those states. They cannot travel within their own country. Ambiga Sreenevasan, the head of the clean elections movement, cannot travel to parts of her own nation to check issues of irregularities.

When it comes to the so-called indelible ink, voters were able to wash off the ink used to cast their vote—which is meant to be indelible to prevent double voting and fraud, a key feature of the election commission’s trumpeting that the elections would be clean and fair—just by using soap and water, or if that did not do the trick a bit of Dettol certainly did.

These concerns are consistent with the findings made by the international observer group that I was a member of in April last year. The representatives from Australia included Professor Clinton Fernandes of the University of New South Wales—well known and highly regarded for his role as a leading academic on the region—as well as representatives from India, Pakistan, Indonesia, the Philippines and Germany, unanimously made findings of the potential for widespread fraud and irregularity, as well as the gross gerrymandering of electorates with up to a 15 to one ratio—that is, some government seats had as few as 7,000 voters with many opposition seats having over 100,000 voters.

The observer group also made findings which cannot be credibly disputed that access to the nation's TV screens and newspapers was controlled by the government with no fair access by the opposition or civil society groups. And, as you may be aware, Madam Acting Deputy President, I am suing one of the leading newspapers in Malaysia for defamation for a disgusting slur. After a speech I gave in this chamber on the Church of Scientology, describing it as a criminal organisation masquerading as a religion, the leading English language newspaper in Malaysia, the New Straits Times, used that speech and replaced the word 'Scientology' with Islam, and portrayed me as someone who is anti-Islamic. I reject that slur absolutely. Despite their apology, I will be issuing proceedings against that newspaper and other Malay
language newspapers for that slur. That is how dirty the ruling party plays it.

These elections were not free or fair under any reasonable measure, yet we have ignored the pleas of those representing the majority of Malaysians to speak out in international forums to protest at what has occurred. About an hour ago, I spoke to a newly elected opposition MP Rafizi Ramli, who I know and whom I see as one of the faces of the future of Malaysia democracy. He summed up how rotten the Malaysian electoral system is. He made the point that the No. 1 problem was the so-called phantom voters—which could number up to 10 per cent of eligible voters nationally—who are registered illegally. These include workers from other countries in the region who are given identity cards and a right to vote illegally. Imagine, here, if suddenly just before the election, we gave every backpacker the right to vote in our elections, but gave them very clear directions on how they should vote if they knew what was good for them, and real questions over whether the ballot would be secret.

In the state of the Sabah, where there has been a royal commission about issues of electoral fraud, it is estimated that 600,000 or 20 per cent of the voting population of three million are these phantom voters. Mr Ramli and others have also told me of the way electorates would be stacked with registering over 100 phantom voters living in a single home. Of course, there are also the dead people who vote—the many dead people who vote in Malaysia, people who have died whose votes have not been removed from the electoral roll or they are about 115 or 116 years old.

While the opposition is challenging the results in at least 30 seats, the election laws are stacked against them. In 1999, when the government had a two-thirds majority in the Malaysia parliament, they could change the constitution at will and they did. In 1999, the law was changed so that any electoral roll challenges could not be made any more. Mr Ramli told me that each petition to challenge the vote will cost them 50,000 Malaysian Ringgit, or $17,000 to file—a lot of money for cash-strapped opposition parties. This 1999 amendment to the constitution makes it impossible to challenge potentially over a million phantom voters on the electoral rolls.

I also spoke an hour ago to Ibrahim Yaacob, the chief of staff of the opposition leader Anwar Ibrahim, an unsuccessful opposition candidate who, before postal and pre-poll votes were counted, had 56 per cent of the primary vote. He lost the seat 25,419 votes to 26,809 for the ruling coalition because thousands and thousands of postal and pre-poll votes came to the ratio of 80 per cent to 20 per cent against him. It is extraordinarily corrupt. A lot of those voters would have been from the army.

When I was in Malaysia last year, I spoke to a retired general who had the courage to speak to the observer group. He told us in completely unambiguous terms that when soldiers were voting their commanding officers were standing over them to make sure that they voted for the government. That is not a secret ballot. That is not democracy.

The Australian government’s attitude towards promoting democracy in Malaysia has been consistently glib and cynical. I have got to say the opposition has not said much about it either. I think we should take into account what Minister Carr has said. He has maintained that the Australian government is not in a position to examine the election results or comment on the nation’s internal affairs, but this head in the sand approach is completely inconsistent with Australia’s pro-democracy policy in Fiji, Myanmar and
elsewhere in the region. The minister has previously said:
Promoting democracy helps to secure peace, prosperity and stability in our region.

Let us look at the issue of prosperity. Last November, Anwar Ibrahim made a very telling point to me. One of the key platforms of the Malaysian opposition was to fight corruption, to bring the cronies of the ruling party in Malaysia to account. There is massive corruption—for instance, the many, many billions of dollars that have been stolen from Petronas, the state owned oil company, that have gone out of Malaysia into secret Swiss accounts and secret accounts around the world.

Anwar Ibrahim made a very telling point to me. He said that 40 years ago South Korea and Malaysia had about the same GDP. In fact, South Korea's GDP was below Malaysia's. Forty years later, despite the fact that South Korea is not blessed with the natural resources of petroleum and other natural resources of Malaysia, South Korea's GDP is four times higher per capita than Malaysia's. The point that Mr Ibrahim made to me was that without the corruption, without the cronyism, without the bribery and without the widespread malfeasance that goes on in that country, Malaysians citizens would be much better off. Yet we are silent as a nation. The government and the opposition have been silent on this.

We have signed a free trade agreement with Malaysia. I think we should have linked it to democratic reforms in that country. Malaysia seems to be excised from the Australian government's conscience when it comes to what has occurred there. Many in Malaysia have asked whether the legally thwarted but still seemingly dormant people-swap deal between Australia and Malaysia could be a reason as well as our business links with Malaysia. It is interesting to note that Mr Ibrahim and the opposition parties were against the proposed people-swap deal.

So why is the Australian government ignoring these massive allegations of fraud and corruption? There is no question our relationship with Malaysia is an important one. But our great relationship and enduring friendship with Malaysia should mean that Australia has an interest in ensuring the Malaysian elections are clean and fair. Given the weight of evidence that suggests otherwise, the Australian government must play an active role in supporting any investigations into the recent elections.

On 16 February this year I arrived in Malaysia. I was due to be met by my colleagues Senator John Williams, Mal Washer MP from the coalition and Steve Georganas MP, the member for Hindmarsh, a government member. I was detained and deported because I was perceived to be a so-called security risk to Malaysia. I have been a risk in that I was part of a group of people who have exposed the truth of what has occurred in Malaysia. The attitude of the Malaysian government shows a desperate authoritarian regime that will do anything to muzzle free speech and dissent in its country.

The attitude of the Malaysian government shows a desperate authoritarian regime that will do anything to muzzle free speech and dissent in its country.

So what have we done and what have other countries done? Even the White House released a statement which raised concerns:
We note concerns regarding reported irregularities in the conduct of the election, and believe it is important that Malaysian authorities address concerns that have been raised. We look forward to the outcome of their investigations.

Even the EU issued a statement acknowledging the irregularities and hoping that the election commission will do something about it. Yet we have been silent. Yet our foreign minister, when he was asked whether he was worried about the irregularities in the election, said, 'It's not up to us to determine these things'.

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**CHAMBER**

Tuesday, 14 May 2013
The Australian government must support Bersih's call for an independent panel to investigate the extent of electoral fraud and irregularities. It must also note that the opposition, on the official count, gained 50 per cent of the vote but only something like 40 per cent of the seats. There is something seriously rotten with that election outcome. Just a few minutes ago opposition leader Anwar Ibrahim called me. I had a brief conversation with him. Throughout the country he has been attending rallies. He sounded tired but he is determined. He asked me this question to pass on tonight in the Senate: 'How can Australia be blind to and condone such blatant fraud and massive rigging of the elections?' Well, how can we?

Anwar Ibrahim is in Kuantan state tonight. He is due to speak to a rally. That rally will take place in the next few hours. I hazard a guess that there will be tens of thousands of people at that rally. In Kuala Lumpur there are 120,000. Throughout the country, from Johore in the south to Kelantan in the north, in Perak, in Malacca, in Kedah, in Terengganu in the east and in Selangor in the west, there have been mass rallies. In Ipoh 30,000 people attended, a relatively small city compared to Kuala Lumpur. In Penang, a city the size of Adelaide with about a million people, 120,000 people attended a rally. What has been the response of the Malaysian government? It has threatened Anwar Ibrahim with a charge of sedition for telling the truth, a charge that means that he could go to jail for up to three years. He has already been in jail on trumped up charges and spent six years in jail in solitary confinement, yet he is not embittered. He is the Nelson Mandela of the region. This is now not the time to turn our backs on a close friend and neighbour. My personal plea to the Malaysian people is simple. To quote Winston Churchill:

Discrimination

Senator EGGLESTON (Western Australia) (21:44): I was recently asked on a Perth ABC radio program, *Who are you*, whether I had experienced much prejudice because of my height during my life. My height is just 52 inches. I have a cartilaginous condition called dyschondroplasia, which causes short stature. But I can say in all honesty that I have rarely experienced prejudice and that when I did it was probably more devastating because I was not ready for it and did not understand the irrationality that drives such behaviour.

I grew up in Busselton, a seaside resort town on Geographe Bay on the south-west corner of Australia and attended the local primary school. Schools are places where kids who are different are often taunted. But that did not happen to me at that school. At the age of 11, I went to Christ Church, a boarding school in Claremont in Perth. I recall telling my Senate colleague Senator Williams, who is here tonight, this and he responded by saying, 'I bet you had a tough
time there.’ But, no, I did not. I loved being at the school and I am pleased to say that some of my closest friends remain the boys I met at boarding school at the age of 11. Busselton was and is a holiday town and sometimes tourists would point at me. But I have always divided the world into two groups: those I knew and those I did not. What people in this latter category said or did, I disregarded. Were people I knew to do or say the same, I would have been deeply offended. The only time that I have experienced prejudice was from one department in the clinical medical school of the University of Western Australia. That is what I want to talk about tonight. I have never talked about this matter publicly before and, as my colleague Helen Kroger has just said, it might be helpful to somebody out there listening to this.

I decided to study medicine when I was 16. Medicine appealed for idealistic reasons, because it was humanitarian. It was, seemingly, endlessly interesting and one could travel with a medical degree, which I was very interested in doing. Having enrolled in medicine, my pharmacist father suggested that I should discuss my plan with the medical school, which I did. The then dean, who was a British obstetrician from Hong Kong thought, like me, that the problems that I might face due to my height were more apparent than real. He said that I would obviously need to use a footstool to do various things, such as surgery. The then professor of medicine, Professor Eric Saint, took me to a ward to show me how high the beds were at the Royal Perth Hospital. I must say that I was genuinely surprised that the beds came up to my mid-chest. I thought that they must have been imported from the Crimea after Florence Nightingale had finished with them. A portable stool was again seen to be the solution for me.

So it was that I became a pre-clinical medical student at the campus at Crawley. I did pretty well academically and generally enjoyed student life, which for me involved the rowing club as a cox, the Liberal club, the guild of undergraduates—of which I became a guild counsellor—and the NUAUS, as it was then. My interest in political matters began at an early age.

I was very keen and full of enthusiasm as I began fourth year medicine and clinical medicine. Fourth year medical units did four so-called clinical clerkships or terms, two on medical wards and two on surgical wards, each lasting about eight weeks or so, during the course of their year. My first such clinical clerkship was with the university department of surgery. It involved clerking patients, or writing up their notes and reading up about their conditions, with two teaching ward rounds a week. These took the form of a reader, or associate professor as they are called these day, selecting a case and then quizzes the students about the condition that this patient had and its investigation and management.

At that stage—the beginning of their clinical careers—students do not know much about the pathology and disease processes and these two readers quizzed all the students. But one surgeon in particular gave me a really hard time. However, I always answered his questions with a straight bat and if I did not know what he was driving at I said so. After these ward rounds, the patients would call me over and say that I had stood up to the surgeon's questioning well. I thought that for the patients it was a bit like being on the set of a Doctor in the House movie. But, as I was to find, there was a hard edge to it.

My second clinical term was with the chest physicians at the Sir Charles Gairdner Hospital and was totally different. The
physicians were pleasant and friendly and eager to teach. That is the essential difference between physicians and surgeons: they are much more pleasant people, the physicians. The surgeons are always very demanding and have a go-ahead attitude.

Three weeks into the term, one of them, a Dr Lefroy, took me aside to tell me that in the view of my tutor I was handling the clinical situation quite well by, for example, compensating for my height by sitting patients on bedside chairs to examine their chests and of course using a footstool. He said that while some had doubted that I would be able to examine patients satisfactorily, it was their view that I would be able to meet the requirements with a few innovations on my part.

However, a week or so later I received a call from the university department of surgery at Royal Perth Hospital, requesting my attendance at a meeting with the university department of surgery and with one of the readers whom I had encountered on these teaching rounds. I went to the tutorial room at the university department of surgery wondering what the meeting would be about. I did not have long to wait to find out that the meeting would be extraordinary. One of the readers opened up the proceedings by saying, 'We want you to resign from medical course immediately.' I was shocked, given the friendly tone of the previous week's meeting at Sir Charles Gairdner Hospital, and simply said, 'I have no intention of resigning from the medical course.' To this the reader replied, rather harshly, 'Well, in that case, we'll fail you out of the course in the fourth-year exams.' To that I replied: 'I don't think so. The Department of Surgery is not on the fourth-year examination board'—which I knew was composed of the clinical science departments of pathology, pharmacology and microbiology. Then he said, 'I will personally make sure that you never graduate in medicine from this university.'

At that point, seeing no purpose in continuing the dialogue, I turned and walked out of the room. However, I was quite deeply shaken. I went and sat on the lawns around St Mary's Cathedral in Victoria square, adjacent to the Royal Perth Hospital. At first I thought of seeking to discuss, with the two professors I had met with before starting the course, this threatening conversation I had just had with this particular surgeon. Also, I lived at St George's College within the university, and the warden, Josh Reynolds, was a highly regarded political figure within the university who I thought could advise me.

But after some reflection over a few days I decided not to tell anyone what had happened, and I did not seek the assistance of senior people within the university or the hospitals—I decided to just keep on and demonstrate that I could meet the requirements of the course. I believed that was the way to go, and that only I could prove that I could do it—but, in the end, it was not as simple as that. I was perhaps rather naive, because I had really never had to deal with serious prejudice and thought that, as time went on, based on my performance, it would all just disappear. But it did not—at least from the individuals concerned.

The other of these surgeons used to throw me out of lectures, sometimes even before they had begun, for trivial reasons such as that I appeared to be making ready to go to sleep in the lecture before it began, which seemed to be a joke to the rest of the class—but I did not find it very amusing. Here I was, in a professional course, and as I sat on the steps outside the lecture theatre at Royal Perth Hospital, I could not believe this was
happening—having just been thrown out of a lecture before it had begun.

I reflected on the fact that I was a long way into a course, but it seemed that learning and passing the exams were not the criteria I was to be judged on; rather, it was satisfying some X factor, undefined and therefore impossible to deal with in a rational way. This was compounded when I was in fifth year and became the National Secretary of the Australian Medical Students Association and had a meeting with the then dean—whose background was from continental Europe—and WA student representatives about a student exchange program funded by the Nuffield Foundation, with UWA and the University of Colombo in what is now Sri Lanka.

Following the joint meeting the dean asked me to remain in his office. He said, 'You have a very broad understanding of the importance of this exchange program. I can understand why your student colleagues made you their national secretary'—which seemed very friendly. But then he added, 'Of course, in Europe someone like you would not be permitted to do medicine, and you must understand that no matter how well you do in your final exams a separate decision will be made about whether to grant you a medical degree.' I was stunned and shocked, but did not say anything and just left the office. This discussion seemingly confirmed my worst fears: that it was not a level playing field, not a matter of studying and passing exams but a matter of satisfying some indefinable X factor, as I said, in the minds of people such as this old-school European professor.

I began to wonder if I was wasting my time doing the remainder of the course, because I seemed to be on an escalator which might end at a brick wall. It seemed an impossible situation, and I did not know what to say to my parents about it, as they were country people and I thought they would not really comprehend this prejudice, of a kind that was not what one encountered in a small country town like Busselton—or anywhere else I had been in WA, I must say. So, rather than say what had happened, and what I thought the outcome would be, I thought of suggesting to my father that perhaps I should change to a law course, without explaining why. But I did not do that, as I felt in some way that this prejudice reflected on me, in the sense that I should have been able to overcome it, and that it would be perceived as weakness if I could not. Then—invariably, one might think on looking back—I became depressed.

I was one of those students who was always thinking about books to buy, things to look up and so on, but this stopped, and those kinds of thoughts were not there anymore. I also stopped dreaming before sleeping at night. It was almost as if the television had been turned off and the screen went blank. I came up with a number of excuses to explain my apparent waning interest in the medical course, such as that I was too busy doing other things et cetera, but in reality I felt disheartened and had little confidence in the fairness of the final examination process.

I did not, in fact, pass the exams at the end of that year. After the exams were over the then professor of medicine, who knew something of me from Professor Saint, his predecessor, said he could get me into the University of Melbourne but that I would have to do the fifth and sixth years again with their course. But one of my older brothers, who was in London, suggested that I take the qualifying exams held by the various Royal medical colleges in London—and that was what I did: I was eligible to do them, so I went to London and I qualified there.
I spent some four years in England, working in various hospitals, and then came home for what I intended to be about six months before returning to the UK and continuing to live there for a while—in fact, probably quite a while. However, after working in Perth for 18 months I wanted to realise a long-held desire to spend some time in the north-west where, when I was 12, I had spent a May school holidays at Wittenoom in the spectacular Hamersley Ranges. At that time I had been captivated by the spectacular red gorges, the azure blue skies and the yellow spinifex of the Pilbara, which is really beautiful after the wet season. As a result of that visit I so believed in the future of the north that I wrote an editorial in the annual magazine of Christ Church Grammar School titled Go north young man, go north. But I think I was the only person from my class who took my advice.

The opportunity for me to go north came after a conversation I had with some pharmaceutical company representatives at Fremantle Hospital to whom I expressed interest in the north-west medical service of the WA Department of Health, which staffed the hospitals in the north. As a result, the very next day I received a call from the health department suggesting I come in to discuss working in the north-west medical service. In fact, they said they had heard on the grapevine that I was interested in going up north, and I said, 'That is some grapevine, considering that the conversation in which I had expressed interest in going to the north-west was less than 24 hours ago.' I was told the department was looking for doctors with procedural skills. In the UK I had done anaesthetics and obstetric terms, so I was offered a job. It was agreed that I would spend six months in the north—three months in Port Hedland and then three months in Broome. However, I never left Port Hedland and that six months became 22 years and has defined the remainder of my life.

After some 18 months working at the Port Hedland Regional Hospital and doing Royal Flying Doctor Service clinics in places like Shay Gap and Marble Bar, as well as escort flights to the Perth hospitals, I established a successful private practice, became the mayor of Port Hedland, regional president of the Liberal Party in the Pilbara and Kimberly, the state vice president and then a senator for WA, in 1996.

Many years after I first met Professor Saint—who had once also been a district medical officer at the Port Hedland Hospital where, with Dr McNulty, a public health physician, he had called attention to the danger of asbestos related diseases at Wittenoom—he came to say hello to me at the Port Hedland Regional Hospital. With something of a twinkle in his eye, he greeted me as a colleague. I felt very honoured by it. I thought I should record this story because, as some people have said, it might provide some inspiration to somebody who feels that because of some physical abnormality they are being held back. I think the answer is just to keep on going and you will succeed in the long run.

Defence Reserves: Employer Support Payment Scheme

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (22:03): On 6 June 2001, some five months before that year's election, the Howard government launched a Defence payment scheme that the then Minster Assisting the Minister for Defence, the Hon. Bruce Scott MP, said was a 'win-win situation and one that promises great dividends for the reserves, the Australian Defence Force and the Australian community'. History tells us that the Howard government then went on to win the 2001 election but, sadly, the scheme
introduced by the Hon. Bruce Scott MP was certainly no winner for the Australian taxpayer.

The so-called 'win-win' scheme did not have a legislative basis when it was launched by Bruce Scott in June 2001. The coalition had not tabled or gazetted any legislation, instrument, regulation or determination for parliament or the Australian people to scrutinise. The coalition committed millions of taxpayer dollars to a thought bubble that had no legal basis, no proper qualifying or eligibility criteria, and no considered policy justification. Politics rather than policy produced a policy that was pregnant with risk and produced perverse outcomes.

The scheme announced by Bruce Scott is today known as the Employer Support Payment Scheme, the ESPS. It pays employers, and self-employed reservists who want to claim a payment under the scheme, a payment equivalent to the average weekly ordinary time earnings, now some $1,300 per week, for every five days a reservist is on Defence service. In addition, Defence—the Commonwealth—also pays the reserve member for their Defence service. This can be an expensive way to acquire capability. Under the coalition's scheme a blanket payment is made to all who claim, regardless of the role the reservist performs for Defence and regardless of the amount paid or earned by the reservist employee.

In September 2001, still without any legislative basis, Bruce Scott even held a payment ceremony at Parliament House to mark the first payment to an employer. In August 2002, some 14 months after the promise had been made of payments up to $63,000 to employers of ADF reservists, and to self-employed reservists, the coalition finally put in place retrospective legislation to legitimise what became the Employer Support Payment Scheme. The coalition put this legislation in place in August 2002, claiming that it had been drafted in 2001, despite the advice and recommendations found in a damning internal Defence audit report conducted in April and May of 2002. Clearly, the results of this audit were known before the scheme was legitimised or regularised by the Howard government, in August 2002.

The April 2002 internal Defence audit found that there were major policy deficiencies in the scheme, areas that required urgent clarification, and a failure to provide proper guidance and training to staff administering the scheme, all of which exposed Defence to an unacceptably high level of risk. Significantly, the audit questioned whether employers and self-employed reservists should be compensated only where a loss is incurred due to a reservist's absence on Defence service, rather than just a large, one-size-fits-all blanket payment. The audit was highly critical of the lack of evidence required by self-employed reservists to substantiate that they were actually self-employed and that their business generated their income. Sadly, this report, and its genuine concern for a proper policy rationale for the scheme, had no impact whatsoever on the Howard government. The Howard government did not care that no other advanced Western military nation with reserve forces had, or today has, a scheme that pays double for reserve service, no matter what task the reserve is performing for Defence—because that is, of course, what the scheme does.

So, the employer support payment scheme, or the ESPS, continued as the coalition wanted it to, paying out large sums of taxpayers' money without appropriate eligibility conditions and without a proper tested policy justification. The Department of Defence eventually put through some amendments to the scheme in 2003, in 2005
and again in 2007 in various attempts to fix these issues up. But in 2012, after over $180 million had been dispensed under the scheme, the Defence Audit Branch concluded that:

The ESPS is operating without the benefit of robust key performance indicators or performance information to demonstrate the extent to which it is meeting its intended aims.

There were also serious concerns held within the services about the efficiency, fairness, and practicality of the scheme and its exposure to the risk or rorting.

In 2009-10 the service of some 533 self-employed reservists cost $10.54 million. Other than 120 health professional claimants, there was no indication of what capability the remaining self-employed reservists performed at and whether it was a capability that Defence really needed and could not acquire in any other way. In consultation with the capability managers—that is, the service chiefs—I implemented major changes to the scheme in July 2012. We introduced criteria that ensure that the ESPS payments deliver capability to the Australian Defence Force and that the expenditure of public funds delivers value for money to the Australian people. For the first time, service chiefs or their delegates were made responsible for approving a claim made by a self-employed reservist. In doing so, a service chief or their delegate must be satisfied that the capability that is required and is to be performed by the reservist is a necessity and that the use of the self-employed reservist is the best value-for-money option to deliver the required capability. The service chief has a broad discretion and can consider a range of matters—including, of course, operational factors—in making his or her decision. These amendments were supported by all the service chiefs, with the Chief of Army, Lieutenant General David Morrison, commenting that:

I fully support any initiative which aims to improve management and governance in the ADF. The outcomes of this initiative give me greater flexibility in determining how I deliver Army capability and a better control over resources to ensure value for money.

We need to remember a number of very important points when it comes to Defence, Defence spending and the Defence budget. First of all, Defence, under the guidance of the capability managers—the service chiefs—must spend the money it is allocated under the budget to deliver the Defence capability that is needed to protect and secure Australia and its national interests. When the capability managers have no say or control when it comes to developing a policy that spends millions of taxpayers' dollars in service budgets, then waste and the risk of rorting may follow. Under the coalition, the service chiefs had no say in how this scheme worked, but they finally have one now.

Secondly, when public funds are expended there should always be a real and meaningful focus on delivering an outcome that is the best value for money for the Australian people. In this particular context we need to remember that all reservists are paid volunteers who must take into account all their personal circumstances before deciding to volunteer for Defence service. Self-employed reservists make decisions to run a business. It is perfectly understandable that, if faced with a choice of buying an item or hiring personnel at double or even triple the cost of an identical alternative, a self-employed person would choose the most cost-effective solution for their business. Australian taxpayers are no different and should not expect a different standard to apply to the expenditure of public funds. The Australian public rightly expects that the expenditure of public funds delivers a value-
for-money capability that is required for the efficient and effective functioning of the Australian Defence Force.

Finally, we need to be careful that the development of policy and the expenditure of millions of dollars is not driven by people or by sections of the community with large amounts of resources, in positions of influence or with their own vested interests or agendas to push. Rather, policy must be equitable, robust and developed in the best interests of all the Australian people. These are Labor principles. Sadly, they are not coalition principles. In fact, the coalition have gone out of their way in recent times to protect the original scheme from reform and from scrutiny, and I offer some examples for this bold declaration. In the first instance, the honourable member for Berowra, Philip Ruddock MP, wrote to me after I made the amendments in July 2012. Mr Ruddock alleged that a serving Defence member—a certain colonel in the Army in receipt of ESPS payments—had contacted him because he was concerned about the current administration of the scheme. In investigating Mr Ruddock's complaints I learnt that the ADF member named by Mr Ruddock was not, in fact, in the Army; he was in another service. He was not in receipt of ESPS payments and was not concerned about the administration of the scheme. Why did Mr Ruddock want to stop amendments to the scheme acknowledged by Defence as representing a risk? Why did Mr Ruddock not give any weight to what each service chief or their deputy had said about the amendments in the service newspapers of August 2012? Whose interests was Mr Ruddock protecting?

But even Mr Ruddock's ill-conceived actions have now been eclipsed by another coalition member. The shadow minister for Defence Senator Johnston, in his capacity as a legal practitioner, has represented a self-employed reservist in an application against Defence before the Administrative Appeals Tribunal. Senator Johnston represented a claimant whose company had received some $260,000 in ESPS payments—and those are payments above and beyond salary—and was claiming more payments after recently transferring his share in the company to his wife. The applicant had made further claims as an employee of the firm rather than as a self-employed person.

The department had assessed that the applicant did indeed have an interest in the company, which made him a self-employed person, and that he had to demonstrate that he had actually been engaged in earning income within the business for a set period of time prior to making a further claim for ESPS payments. This meant, in effect, that the applicant would not be entitled to claim ESPS payments, as he had been serving almost continuously as a reservist.

The AAT found that Defence had made the correct decision, and that the applicant and his wife had:

... showed a clear interest in organising and managing their financial dealings and in maximising their income. This is not consistent with their claimed indifference to the potential loss of the significant ESP income stream, nor with their evidence that they did not even discuss the potential loss of ESP and that it was not a factor in their decision to transfer ownership of the company. The Tribunal finds that by far the most likely reason for the transfer of the ownership of the company in 2006 was the belief that the applicant company would continue to qualify for ESP if he was an employee rather than a self-employed member.

Apart from losing the case, the shadow minister for defence has shown his disregard for the decision-making abilities of Defence officials—both civilian and military—and
demonstrated his support for unprincipled policy and reckless spending of taxpayers' funds.

Enough is enough. In December 2012, in consultation with the service chiefs, I made further refinements to the scheme. These amendments were made to ensure that the capability managers could manage the scheme and assess its effectiveness. This was done by ensuring that all claims and policy decisions on the scheme are made by the services. This will ensure that payments are aligned with capability and that the service chiefs can monitor and record exactly where reservists who are subject to the payments work, and how this contributes to Defence capability. The services will be able to review whether the scheme delivers a value-for-money, required and meaningful capability to the ADF. Of course, on many occasions it will, but we can now be satisfied that there will be a proper level of transparency and scrutiny to these decisions. Importantly, these amendments included a sunset clause to cease the scheme at the end of June 2014 should the services conclude that it no longer supports capability and represents value for money.

Let me be very clear that what I have described is not a budget cut. There has been no change to the moneys allocated to the ESPS. There is no intent from government to try to spend less on this important scheme. Rather, these are measures designed to support accountability and transparency, to ensure appropriate review and value for money for the Commonwealth and the Australian people, and to ensure that when our reservists are deployed on operations, as they often are—to their very great credit—they are doing so to the best service and value for their country.

**Senate adjourned at 22:17**

**DOCUMENTS**

**Tabling**

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

A New Tax System (Goods and Services Tax) Act—


A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Acquisitions from or Acquisitions by a Beneficiary of a Bare Trust) Legislative Instrument 2013 [F2013L00530].

A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Acquisitions from or Acquisitions by a Partnership) Legislative Instrument 2013 [F2013L00543].


A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Creditable
Acquisition by a Lessee or Sub-Lessee Following a Sale of a Reversion in Commercial Premises) Legislative Instrument 2013 [F2013L00531].

A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Creditable Acquisition of Taxi Travel) Legislative Instrument 2013 [F2013L00536].


Goods and Services Tax: Correcting GST Errors Determination 2013 [F2013L00754].

Acts Interpretation Act—Select Legislative Instrument 2013 No. 64—Acts Interpretation (Substituted References—Section 19B) Amendment Order 2013 (No. 1) [F2013L00687].


Agricultural and Veterinary Chemicals Code Act—Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2013 (No. 2) [F2013L00625].

Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2013 (No. 1) [F2013L00624].

Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2013 (No. 1) [F2013L00625].

Air Services Act—Statement of expectations for the Board of Airservices Australia for the period 1 July 2013 to 30 June 2015 [F2013L00746].


Australian Communications and Media Authority Act and Broadcasting Services Act—Australian Communications and Media Authority (Television Licence Area Planning and Monitoring) Direction 2013 [F2013L00679].

Australian National University Act—
Programs and Awards Statute 2013—
Assessment Rules (No. 2) 2013 [F2013L00569].
Research Awards Rules (No. 2) 2013 [F2013L00564].
Australian Prudential Regulation Authority Act—
Australian Prudential Regulation Authority (Confidentiality) Determinations Nos—
5 of 2013—Information provided by general insurers and Lloyd’s underwriters for the purposes of the National Claims and Policies Database under Reporting Standard GRS 800.1, GRS 800.2, GRS 800.3, LOLRS 800.1, LOLRS 800.2 and LOLRS 800.3 [F2013L00555].
6 of 2013—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2013L00557].
7 of 2013—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2013L00690].
Australian Prudential Regulation Authority Instruments Fixing Charges Nos—
1 of 2013—For applications for authorisation or registration as an ADI, General Insurer or Life Company [F2013L00581].
2 of 2013—Charges to be paid by representative offices of foreign banks in Australia [F2013L00582].
3 of 2013—For applicants seeking authorisation or registration as a Non-operating Holding Company (NOHC) [F2013L00583].
Australian Research Council Act—
Approval of Proposals—Determination No. 111—Special Research Initiative for a Science of Learning Research Centre for funding commencing in 2012.
ARC Centres of Excellence Funding Rules for funding commencing in 2014 [F2013L00636].
Aviation Transport Security Act—Select Legislative Instrument 2013 No. 47—Aviation Transport Security Amendment Regulation 2013 (No. 1) [F2013L00601].
Broadcasting Services Act—
Broadcasting Services (Digital-Only Local Market Areas for Remote Central and Eastern TV1, Remote Central and Eastern Australia TV2, Remote and Regional WA TV1 and Western Zone TV1 Licence Areas) Determination (No. 2) 2013 [F2013L00556].
Broadcasting Services (Events) Notice (No. 1) 2010—
Amendment No. 3 of 2013 [F2013L00615].
Amendment No. 4 of 2013 [F2013L00668].
Broadcasting Services (Exempt Digital Transmission Areas) Determination (No. 1) 2013 [F2013L00619].
Broadcasting Services (Primary Commercial Television Broadcasting Service) Amendment Declaration 2013 (No. 1) [F2013L00568].
Television Licence Area Plan (Remote and Regional Western Australia) 2013 [F2013L00666].
Television Licence Area Plan (Remote Central and Eastern Australia) 2013 [F2013L00665].
Civil Aviation Act—
Civil Aviation Regulations—Instruments Nos
CASA—
390/12—Instructions—GNSS primary means navigation (B737 NG aircraft) [F2012L02428]—
Explanatory statement [in substitution for explanatory statement tabled with instrument on 5 February 2013].

67/13—Authorisation—pilot maintenance on class B rotorcraft [F2013L00756].

Civil Aviation Regulations and Civil Aviation Safety Regulations—
Civil Aviation Order 40.1.0 Amendment Instrument 2013 (No. 1) [F2013L00590].
Civil Aviation Order 40.3.0 Amendment Instrument 2013 (No. 1) [F2013L00589].
Civil Aviation Order 48.1 Instrument 2013 [F2013L00628].

Civil Aviation Safety Regulations—
Airworthiness Directives—
AD/ARRIEL/36—Return to Service for Civil use from an Operator Not Controlled by a Civil Authority [F2013L00580].
AD/P68/28 Amdt 4—Engine Mount Fittings [F2013L00523].
AD/R44/23—R44 Bladder Fuel Tank Retrofit [F2013L00698].


Instruments Nos CASA—
EX184/12—Exemption—from standard take-off and landing minima—Virgin Australia International Airlines [F2012L02425]—Explanatory statement [in substitution for explanatory statement tabled with instrument on 5 February 2013].
EX14/13—Exemption—of component installers from CAR 42W(4)(b), (d) and (e) [F2013L00675].
EX28/13—Exemption—use of radiocommunication systems in firefighting operations (New South Wales Rural Fire Service) [F2013L00560].

EX29/13—Exemption—solo flight training at Rockhampton Aerodrome using ultralight aeroplanes registered with Recreational Aviation Australia [F2013L00588].
EX34/13—Exemption—CASA Part 99 DAMP requirements for CAR 30 organisations overseas [F2013L00545].
EX35/13—Exemption—operating in vicinity of non-controlled aerodrome, VHF radio broadcasts and maintaining a listening watch [F2013L00572].
EX37/13—Exemption—for seaplanes [F2013L00571].
EX38/13—Exemption—display of markings [F2013L00667].
EX40/13—Exemption—from standard take-off and landing minima—Royal Brunei Airlines [F2013L00651].
EX42/13—Exemption—from standard take-off and landing minima—Jetconnect Limited [F2013L00653].
EX44/13—Exemption—use of ADS-B in aircraft operated by PT Garuda Indonesia [F2013L00717].
EX47/13—Exemption—Surveillance Australia Pty Ltd operations into Lord Howe Island [F2013L00697].
EX48/13—Exemption—for round Australia flight by David Brian Jacka [F2013L00673].
EX51/13—Exemption—from standard take-off and landing minima—Express Freighters Australia Pty Ltd [F2013L00712].
EX52/13—Exemption—helicopter winching operations (Bristow Helicopters) [F2013L00716].
EX53/13—Exemption—from standard take-off and landing minima—Japan Airlines [F2013L00743].

Revocation of Airworthiness Directives—
Instruments Nos CASA ADCX—
005/13 [F2013L00660].
006/13 [F2013L00676].
007/13 [F2013L00738].
008/13 [F2013L00750].
009/13 [F2013L00751].

Statement of expectations for the Board of the Civil Aviation Safety Authority for the period 1 July 2013 to 30 June 2015 [F2013L00744].

Clean Energy Act—
Clean Energy (Auction of Carbon Units) Determination 2013 [F2013L00759].

Select Legislative Instrument 2013 No. 45—
Clean Energy Amendment Regulation 2013 (No. 2) [F2013L00602].


Clean Energy Finance Corporation Act—
Clean Energy Finance Corporation Investment Mandate Direction 2013 [F2013L00680].


Commissioner of Taxation—Public Rulings—
Class Rulings—
Goods and Services Tax Advises—Notices of Withdrawal—GSTA TPP 027 and GSTA TPP 056.
Goods and Services Tax Determinations—
Addenda—GSTD 2000/10, GSTD 2004/1 and GSTD 2005/2.
Goods and Services Tax Rulings—
GSTR 2013/1.
Miscellaneous Taxation Ruling—
Addendum—MT 2009/1.
Product Rulings—
PR 2013/4-PR 2013/11.
Taxation Determinations—
Addenda—TD 93/195 and TD 2009/2.
Erratum—TD 2006/9.
Notices of Withdrawal—TD 13, TD 93/137 and TD 93/167.
TD 2013/5-TD 2013/9.
Corporations Act—
ASIC Class Order [CO 13/552] [F2013L00742].
ASIC Market Integrity Rules (ASX 24 Market) Amendment 2013 (No. 1) [F2013L00739].
ASIC Market Integrity Rules (ASX Market) Amendment 2013 (No. 1) [F2013L00561].
ASIC Market Integrity Rules (Competition in Exchange Markets) Amendment 2013 (No. 1) [F2013L00567].
Corporations Regulations—Guidelines for the use of the word ‘university’ in company names (Revocation) Instrument 2013 [F2013L00757].
Select Legislative Instrument 2013 No. 59—Corporations Amendment Regulation 2013 (No. 1) [F2013L00696].

Crimes Act—Select Legislative Instruments 2013 Nos—
40—Crimes Amendment Regulation 2013 (No. 1) [F2013L00592].
57—Crimes Amendment Regulation 2013 (No. 2) [F2013L00702].

Currency Act—
Currency Legislation (Perth Mint) Amendment Determination 2013 (No. 1) [F2013L00735].
Currency (Perth Mint) Determination 2013 (No. 2) [F2013L00661].
Currency (Royal Australian Mint) Determination 2013 (No. 1) [F2013L00631].

Customs Act—Select Legislative Instruments 2013 Nos—
41—Customs Legislation Amendment Regulation 2013 (No. 1) [F2013L00597].
42—Customs Legislation Amendment Regulation 2013 (No. 2) [F2013L00598].

Defence Act—
Defence Force (Superannuation) (Productivity Benefit) Amendment Determination 2013 (No. 1) [F2013L00549].

Determinations under section 58B—Defence Force Remuneration Tribunal Determinations Nos—
5 of 2013—Salaries—Navy Training Systems Officer—Amendment.
6 of 2013—Specialist Officer—Medical Officer—Medical Procedural Specialist—Amendment.

Do Not Call Register Act—
Do Not Call (Access Fees) Amendment Determination 2013 (No. 1) [F2013L00593].

Environment Protection and Biodiversity Conservation Act—
Amendments of lists of—
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EPBC303DC/SFS/2013/17 [F2013L00554].
EPBC303DC/SFS/2013/20 [F2013L00657].
EPBC303DC/SFS/2013/21 [F2013L00656].
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EPBC303DC/SFS/2013/28 [F2013L00708].
EPBC303DC/SFS/2013/29 [F2013L00747].

Specimens taken to be suitable for live import—
EPBC/s.303EC/SSLI/Amend/057 [F2013L00057]—Explanatory statement [in substitution for explanatory statement tabled with instrument on 5 February 2013].

EPBC/s.303EC/SSLI/Amend/060 [F2013L00710].

Threatened species, dated 20 March 2013 [F2013L00623].

Final (Small Pelagic Fishery) Declaration (No. 2) 2013 [F2013L00694].


Fair Entitlements Guarantee Act—Fair Entitlements Guarantee (Extended operation of
the Act in relation to GEON in Administration) Declaration 02/2013 [F2013L00525].

Federal Court of Australia Act—Select Legislative Instrument 2013 No. 65—Federal Court Amendment Rules 2013 (No. 1) [F2013L00749].

Federal Financial Relations Act—

Federal Financial Relations (General purpose financial assistance) Determinations—

No. 47 (February 2013) [F2013L00584].

No. 48 (March 2013) [F2013L00638].

Federal Financial Relations (National Partnership payments) Determination No. 61 (April 2013) [F2013L00639].

Federal Magistrates Act—Select Legislative Instrument 2013 No. 56—Federal Magistrates Court Legislation Amendment Rules 2013 (No. 1) [F2013L00641].

Financial Management and Accountability Act—

Financial Management and Accountability Determinations—

2013/01—Section 32 (Transfer of Function from DCEE to DIICCSRTE and DRET) [F2013L00684].

2013/02—Section 32 (Transfer of Functions from AGD to OPC) [F2013L00758].

Notice under section 39A—National Centre of Excellence to Reduce Violence against Women and their Children Limited.

Select Legislative Instrument 2013 No. 50—Financial Management and Accountability Amendment Regulation 2013 (No. 2) [F2013L00600].

Financial Sector (Collection of Data) Act—Financial Sector (Collection of Data) (Reporting Standard) Determination No. 61 of 2013—Reporting Standard SRS 001.0 Profile and Structure (Baseline) [F2013L00683].

Fisheries Management Act—

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13/006—Classes of persons [F2013L00541].
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13/020—Specification of occupations, a person or body, a country or countries [F2013L00546].
13/023—Specification of organisations [F2013L00586].
13/031—Educational institutions [F2013L00529].
13/034—Post office box and courier addresses [F2013L00532].
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Marine Safety (Domestic Commercial Vessel) National Law Act 2012—Sections 3 to 19—1 July 2013 [F2013L00607].
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Tabling

The following government documents were tabled:
ASC Pty Ltd—Statement of corporate intent 2012 to 2015.
Australian River Co. Limited—Report for the period 1 December 2011 to 30 November 2012.
Norfolk Island Administration—Financial statements for 2011-12—Independent report of the Australian National Audit Office.
Treaties—
List of multilateral treaties under negotiation, consideration or review by the Australian Government as at April 2013.
Multilateral—Text, together with national interest analysis—