INTERNET
The Journals of the Senate are available at

Proof and Official Hansards for the House of Representatives,
the Senate and committee hearings are available at

For searching purposes use
http://parlinfo.aph.gov.au

SITTING DAYS—2015

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>9, 10, 11, 12</td>
</tr>
<tr>
<td>March</td>
<td>2, 3, 4, 5, 16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>May</td>
<td>11, 12, 13, 14</td>
</tr>
<tr>
<td>June</td>
<td>15, 16, 17, 18, 22, 23, 24, 25</td>
</tr>
<tr>
<td>August</td>
<td>10, 11, 12, 13, 17, 18, 19, 20</td>
</tr>
<tr>
<td>September</td>
<td>7, 8, 9, 10, 14, 15, 16, 17</td>
</tr>
<tr>
<td>October</td>
<td>12, 13, 14, 15</td>
</tr>
<tr>
<td>November</td>
<td>9, 10, 11, 12, 23, 24, 25, 26, 30</td>
</tr>
<tr>
<td>December</td>
<td>1, 2, 3</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

- ADELAIDE 972AM
- BRISBANE 936AM
- CANBERRA 103.9FM
- DARWIN 102.5FM
- HOBART 747AM
- MELBOURNE 1026AM
- PERTH 585AM
- SYDNEY 630AM

For information regarding frequencies in other locations please visit
http://www.abc.net.au/newsradio/listen/frequencies.htm
FORTY-FOURTH PARLIAMENT
FIRST SESSION—SIXTH PERIOD

Governor-General
His Excellency General the Hon. Sir Peter Cosgrove AK, MC (Retd)

Senate Office holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Gavin Mark Marshall
Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi, Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines, Deborah Mary O'Neill, Nova Maree Peris OAM, Dean Anthony Smith, Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams
Leader of the Government in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Leader of The Nationals in the Senate—Senator the Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Opposition in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Stephen Conroy
Leader of the Australian Greens—Senator Richard Di Natale
Co-deputy Leaders of the Australian Greens in the Senate—Senator Scott Ludlam and Senator Larissa Joy Waters
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston
The Nationals Whip—Senator Barry James O'Sullivan
Chief Opposition Whip—Senator Anne McEwen
Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Back, Christopher John</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Bernardi, Cory</td>
<td>SA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Bilyk, Catryna Louise</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Birmingham, Hon. Simon John</td>
<td>SA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Brandis, Hon. George Henry, QC</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Brown, Carol Louise</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Bullock, Joseph Warrington</td>
<td>WA</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Bushby, David Christopher</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Cameron, Hon. Douglas Niven</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Canavan, Matthew James</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>LNP</td>
</tr>
<tr>
<td>Carr, Hon. Kim John</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Cash, Hon. Michaela Clare</td>
<td>WA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Colbeck, Hon. Richard Mansell</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Collins, Hon. Jacinta Mary Ann</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Conroy, Hon. Stephen Michael</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Cormann, Hon. Mathias Hubert Paul</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Dastyari, Sam</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Day, Robert John</td>
<td>SA</td>
<td>30.6.2020</td>
<td>FFP</td>
</tr>
<tr>
<td>Di Natale, Richard</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Edwards, Sean</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fawcett, David Julian</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fierravanti-Wells, Hon. Concetta Anna</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fifield, Hon. Mitchell Peter</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Gallacher, Alexander McEachian</td>
<td>SA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Gallagher, Katherine Ruth</td>
<td>ACT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Hanson-Young, Sarah Coral</td>
<td>SA</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Heffernan, Hon. William Daniel</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Johnston, Hon. David Albert Lloyd</td>
<td>WA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Ketter, Christopher Ronald</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Lambie, Jacqui</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>IND</td>
</tr>
<tr>
<td>Lazarus, Glenn Patrick</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>IND</td>
</tr>
<tr>
<td>Leyonhjelm, David Ean</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>LDP</td>
</tr>
<tr>
<td>Lines, Susan</td>
<td>WA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Ludlam, Scott</td>
<td>WA</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Macdonald, Hon. Ian Douglas</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Madigan, John Joseph</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>IND</td>
</tr>
<tr>
<td>Marshall, Gavin Mark</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>McAllister, Jennifer 2</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>McEwen, Anne</td>
<td>SA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>McGrath, James</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>LNP</td>
</tr>
<tr>
<td>McKenzie, Bridget</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>NATS</td>
</tr>
<tr>
<td>McLucas, Hon. Jan Elizabeth</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Milne, Christine Anne</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Moore, Claire Mary</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Muir, Ricky Lee</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>AMEP</td>
</tr>
<tr>
<td>Nash, Hon. Fiona Joy</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>NATS</td>
</tr>
<tr>
<td>O’Neill, Deborah Mary 1</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Senator</td>
<td>State or Territory</td>
<td>Term expires</td>
<td>Party</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------</td>
<td>--------------</td>
<td>--------</td>
</tr>
<tr>
<td>O’Sullivan, Barry James</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>NATS</td>
</tr>
<tr>
<td>Parry, Stephen Shane</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Payne, Hon. Marise Ann</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Peris, Nova Maree OAM</td>
<td>NT</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Polley, Helen Beatrice</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Reynolds, Linda Karen CSC</td>
<td>WA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Rhiannon, Lee</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Rice, Janet Elizabeth</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Ronaldson, Hon. Michael</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ruston, Anne Sowerby</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ryan, Hon. Scott Michael</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Scullion, Hon. Nigel Gregory</td>
<td>NT</td>
<td></td>
<td>CLP</td>
</tr>
<tr>
<td>Seselja, Zdenko Matthew</td>
<td>ACT</td>
<td></td>
<td>LP</td>
</tr>
<tr>
<td>Stiewert, Rachel Mary</td>
<td>WA</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Singh, Hon. Lisa Maria</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Sinodinos, Hon. Arthur</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Smith, Dean Anthony</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Sterle, Glenn</td>
<td>WA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Urquhart, Anne Elizabeth</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Wang, Zhenya</td>
<td>WA</td>
<td>30.6.2020</td>
<td>PUP</td>
</tr>
<tr>
<td>Waters, Larissa Joy</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Whish-Wilson, Peter Stuart</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Williams, John Reginald</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>NATS</td>
</tr>
<tr>
<td>Wong, Hon. Penelope Ying Yen</td>
<td>SA</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Wright, Penelope Lesley</td>
<td>SA</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Xenophon, Nicholas</td>
<td>SA</td>
<td>30.6.2020</td>
<td>IND</td>
</tr>
</tbody>
</table>

**Casual vacancy**

Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives.

<table>
<thead>
<tr>
<th>Territory</th>
<th>Senator</th>
<th>Party</th>
<th>Senator</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Capital Territory</td>
<td>Gallagher, K.</td>
<td>ALP</td>
<td>Seselja, Z.M.</td>
<td>LP</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>Scullion, N. G.</td>
<td>CLP</td>
<td>Peris, N.M.</td>
<td>ALP</td>
</tr>
</tbody>
</table>

(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.

(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J Faulkner), pursuant to section 15 of the Constitution.

**Casual vacancy to be filled (vice B. Mason, resigned 15.4.15), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party
Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Acting Secretary, Department of Parliamentary Services—D Heriot
Parliamentary Budget Officer—P Bowen
### ABBOTT MINISTRY

<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon. Tony Abbott MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon. Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Public Service</strong></td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for Women</strong></td>
<td>The Hon. Charles Porter MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon. Alan Tudge MP</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon. Warren Truss MP</td>
</tr>
<tr>
<td>(Deputy Prime Minister)</td>
<td>The Hon. Jamie Briggs MP</td>
</tr>
<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon. Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon. Andrew Robb AO MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Foreign Affairs</strong></td>
<td>The Hon. Steven Ciobo MP</td>
</tr>
<tr>
<td>**Parliamentary Secretary to the Minister for Trade and</td>
<td>The Hon. Steven Ciobo MP</td>
</tr>
<tr>
<td>Investment**</td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon. Eric Abetz</td>
</tr>
<tr>
<td>(Leader of the Government in the Senate)</td>
<td></td>
</tr>
<tr>
<td><strong>Assistant Minister for Employment</strong></td>
<td>The Hon. Luke Hartsuyker MP</td>
</tr>
<tr>
<td>(Deputy Leader of the House)</td>
<td></td>
</tr>
<tr>
<td><strong>Attorney-General</strong></td>
<td>The Hon. Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Minister for the Arts</strong></td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td>(Vice-President of the Executive Council)</td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td><strong>Minister for Justice</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon. Joe Hockey MP</td>
</tr>
<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon. Bruce Billson MP</td>
</tr>
<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon. Joshua Frydenberg MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
<td>The Hon. Kelly O'Dwyer</td>
</tr>
<tr>
<td><strong>Minister for Agriculture</strong></td>
<td>The Hon. Barnaby Joyce MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Agriculture</strong></td>
<td>Senator the Hon. Richard Colbeck</td>
</tr>
<tr>
<td><strong>Minister for Education and Training</strong></td>
<td>The Hon. Christopher Pyne MP</td>
</tr>
<tr>
<td>(Leader of the House)</td>
<td>Senator the Hon. Simon Birmingham</td>
</tr>
<tr>
<td><strong>Assistant Minister for Education and Training</strong></td>
<td>Senator the Hon. Scott Ryan</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Education and Training</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Social Services</strong></td>
<td>The Hon. Scott Morrison MP</td>
</tr>
<tr>
<td><strong>Assistant Minister for Social Services</strong></td>
<td>Senator the Hon. Mitch Fifield</td>
</tr>
<tr>
<td>(Manager of Government Business in the Senate)</td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Human Services</strong></td>
<td>The Hon. Marise Payne</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Social Services</strong></td>
<td>Senator the Hon. Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td><strong>Minister for Industry and Science</strong></td>
<td>The Hon. Ian Macfarlane MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Industry and Science</strong></td>
<td>The Hon. Karen Andrews MP</td>
</tr>
<tr>
<td><strong>Minister for Defence</strong></td>
<td>The Hon. Kevin Andrews MP</td>
</tr>
<tr>
<td><strong>Minister for Veterans' Affairs</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of ANZAC</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td><strong>Assistant Minister for Defence</strong></td>
<td>The Hon. Stuart Robert MP</td>
</tr>
<tr>
<td>Title</td>
<td>Minister</td>
</tr>
<tr>
<td>------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon. Darren Chester MP</td>
</tr>
<tr>
<td>Minister for Communications</td>
<td>The Hon. Malcolm Turnbull MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Communications</td>
<td>The Hon. Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Immigration and Border Protection</td>
<td>The Hon. Peter Dutton MP</td>
</tr>
<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td>Minister for the Environment</td>
<td>The Hon. Greg Hunt MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>The Hon. Robert Baldwin MP</td>
</tr>
<tr>
<td>Minister for Finance</td>
<td>Senator the Hon. Mathias Cormann</td>
</tr>
<tr>
<td>Special Minister of State</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Finance</td>
<td>The Hon. Michael McCormack MP</td>
</tr>
<tr>
<td>Minister for Health</td>
<td>The Hon. Sussan Ley MP</td>
</tr>
<tr>
<td>Minister for Sport</td>
<td>The Hon. Sussan Ley MP</td>
</tr>
<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon. Fiona Nash</td>
</tr>
</tbody>
</table>

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 Human Services in the Social Services portfolio and 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.
<table>
<thead>
<tr>
<th>TITLE</th>
<th>SHADOW MINISTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon. Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon. Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td>Hon. Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon. Jacinta Collins</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Hon. Michael Danby MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition</td>
<td>Hon. Tanya Plibersek MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Women</td>
<td>Senator Claire Moore</td>
</tr>
<tr>
<td>Manager of Opposition Business (Senate)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for the Centenary of ANZAC</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Foreign Affairs</td>
<td>Hon. Matt Thistlethwaite MP</td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate</td>
<td>Senator the Hon. Penny Wong</td>
</tr>
<tr>
<td>Shadow Minister for Trade and Investment</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Minister for Veterans' Affairs</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence</td>
<td>Gai Brodman MP</td>
</tr>
<tr>
<td>Shadow Minister for Infrastructure and Transport</td>
<td>Hon. Anthony Albanese MP</td>
</tr>
<tr>
<td>Shadow Minister for Cities</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Tourism</td>
<td>Hon. Julie Collins MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Local Government</td>
<td>Hon. Alannah MacTiernan MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Infrastructure</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Western Australia</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Treasurer</td>
<td>Hon. Chris Bowen MP</td>
</tr>
<tr>
<td>Shadow Assistant Treasurer</td>
<td>Hon. Dr Andrew Leigh MP</td>
</tr>
<tr>
<td>Shadow Minister for Competition</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Financial Services and Superannuation</td>
<td>Hon. Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Treasurer</td>
<td>Hon. Ed Husic MP</td>
</tr>
<tr>
<td>Shadow Minister for Finance</td>
<td>Hon. Tony Burke MP</td>
</tr>
<tr>
<td>Manager of Opposition Business (House)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Environment, Climate Change and Water</td>
<td>Hon. Mark Butler MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Environment, Climate Change and Water</td>
<td>Senator the Hon. Lisa Singh</td>
</tr>
<tr>
<td>Shadow Minister for Higher Education, Research, Innovation and Industry</td>
<td>Senator the Hon. Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister for Vocational Education</td>
<td>Hon. Sharon Bird MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Higher Education</td>
<td>Hon. Amanda Rishworth MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Manufacturing</td>
<td>Tony Zappia MP</td>
</tr>
<tr>
<td>TITLE</td>
<td>SHADOW MINISTER</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shadow Minister for Communications</td>
<td>Hon. Jason Clare MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Communications</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Shadow Attorney General</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for the Arts</td>
<td></td>
</tr>
<tr>
<td>Deputy Manager of Opposition Business (House)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Justice</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Attorney General</td>
<td>Graham Perrett MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Arts</td>
<td>Hon. Michael Danby MP</td>
</tr>
<tr>
<td>Shadow Minister for Education</td>
<td>Hon. Kate Ellis MP</td>
</tr>
<tr>
<td>Shadow Minister for Early Childhood</td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Minister for Education</td>
<td>Hon. Amanda Rishworth MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Education</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Minister for Agriculture</td>
<td>Hon. Joel Fitzgibbon MP</td>
</tr>
<tr>
<td>Shadow Minister for Rural Affairs</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Resources</td>
<td>Hon. Gary Gray AO MP</td>
</tr>
<tr>
<td>Shadow Minister for Northern Australia</td>
<td></td>
</tr>
<tr>
<td>Shadow Special Minister of State</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Northern Australia</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Minister for Health</td>
<td>Hon. Catherine King MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Health</td>
<td>Stephen Jones MP</td>
</tr>
<tr>
<td>Shadow Minister for Mental Health</td>
<td>Senator Hon. Jan McLucas</td>
</tr>
<tr>
<td>Shadow Minister for Sport</td>
<td>Hon. Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Health</td>
<td>Nick Champion MP</td>
</tr>
<tr>
<td>Shadow Minister for Families and Payments</td>
<td>Hon. Jenny Macklin MP</td>
</tr>
<tr>
<td>Shadow Minister for Disability Reform</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Human Services</td>
<td>Senator the Hon. Doug Cameron</td>
</tr>
<tr>
<td>Shadow Minister for Housing and Homelessness</td>
<td>Senator the Hon. Jan McLucas</td>
</tr>
<tr>
<td>Shadow Minister for Carers</td>
<td>Senator Claire Moore</td>
</tr>
<tr>
<td>Shadow Minister for Communities</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Families and Payments</td>
<td>Senator Carol Brown</td>
</tr>
<tr>
<td>Shadow Minister for Immigration and Border Protection</td>
<td>Hon. Richard Marles MP</td>
</tr>
<tr>
<td>Shadow Minister for Citizenship and Multiculturalism</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Hon. Matt Thistlethwaite MP</td>
</tr>
<tr>
<td>Shadow Minister for Indigenous Affairs</td>
<td>Hon. Shayne Neumann MP</td>
</tr>
<tr>
<td>Shadow Minister for Ageing</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Indigenous Affairs</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Aged Care</td>
<td>Senator Helen Polley</td>
</tr>
<tr>
<td>Shadow Minister for Employment and Workplace Relations</td>
<td>Hon. Brendan O'Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Employment Services</td>
<td>Hon. Julie Collins MP</td>
</tr>
</tbody>
</table>
CONTENTS

WEDNESDAY, 13 MAY 2015

Chamber

DOCUMENTS—
Tabling.............................................................................................................. 2923

BILLS—
Biosecurity Bill 2014—
Biosecurity (Consequential Amendments and Transitional Provisions) Bill 2014—
Quarantine Charges (Imposition—Customs) Amendment Bill 2014—
Quarantine Charges (Imposition—Excise) Amendment Bill 2014—
Quarantine Charges (Imposition—General) Amendment Bill 2014—
In Committee................................................................................................ 2923
Third Reading.............................................................................................. 2937
National Water Commission (Abolition) Bill 2014—
Second Reading.......................................................................................... 2937
In Committee.............................................................................................. 2943
Third Reading.............................................................................................. 2952
Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill
2015—
Second Reading......................................................................................... 2953
In Committee.............................................................................................. 2959
Third Reading.............................................................................................. 2969
Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements)
Bill 2015—
First Reading ............................................................................................. 2969
Second Reading.......................................................................................... 2969

STATEMENTS BY SENATORS—
Maritime Union of Australia........................................................................ 2976
Mental Health .............................................................................................. 2978
Budget ......................................................................................................... 2980
Drought ........................................................................................................ 2982
Renewable Energy......................................................................................... 2984
Budget ......................................................................................................... 2986
Queensland.................................................................................................. 2988
Western Queensland.................................................................................... 2991

MINISTERIAL ARRANGEMENTS ..................................................................... 2992

QUESTIONS WITHOUT NOTICE—
Budget........................................................................................................... 2992
Budget........................................................................................................... 2994
Budget........................................................................................................... 2996
Budget........................................................................................................... 2996
Budget........................................................................................................... 2998
Marine Sanctuaries ....................................................................................... 2999
Budget........................................................................................................... 3001
Child Care ................................................................................................... 3002
Budget........................................................................................................... 3004
Beef Industry ............................................................................................... 3006
Budget........................................................................................................... 3008
QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS—
  Answers to Questions ...................................................................................... 3010
  Budget ............................................................................................................ 3017
NOTICES—
  Presentation ................................................................................................. 3018
  Postponement ............................................................................................... 3019
MOTIONS—
  Committees .................................................................................................... 3020
BUSINESS—
  Rearrangement ............................................................................................ 3020
BILLS—
  Freedom of Information Amendment (Requests and Reasons) Bill 2015—
    First Reading ............................................................................................... 3020
    Second Reading .......................................................................................... 3021
COMMITTEES—
  Economics References Committee—
    Reference .................................................................................................. 3022
MOTIONS—
  Housing Affordability .................................................................................. 3024
  WestConnex .................................................................................................... 3026
MATTERS OF PUBLIC IMPORTANCE—
  Budget ............................................................................................................ 3028
DOCUMENTS—
  Consideration ............................................................................................... 3041
COMMITTEES—
  Migration Committee—
    Report ........................................................................................................ 3041
  Treaties Committee—
    Report ...................................................................................................... 3041
  Regulations and Ordinances Committee—
    Delegated Legislation Monitor ................................................................ 3042
  Environment and Communications Legislation Committee—
  Environment and Communications References Committee—
    Additional Information ............................................................................... 3042
  Scrutiny of Bills Committee—
    Report ........................................................................................................ 3042
  Environment and Communications References Committee—
    Report ........................................................................................................ 3042
  Public Accounts and Audit Committee—
    Documents ................................................................................................ 3045
  Community Affairs References Committee—
    Report ........................................................................................................ 3046
MINISTERIAL STATEMENTS—
  Centenary of Anzac ..................................................................................... 3050
COMMITTEES—
  Membership ................................................................................................. 3063
CONTENTS—continued

BILLS—
Norfolk Island Legislation Amendment Bill 2015—
Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015—
A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment
Bill 2015—
Health and Other Services (Compensation) Care Charges Amendment
(Norfolk Island) Bill 2015—
Health Insurance (Approved Pathology Specimen Collection Centres) Tax
Amendment (Norfolk Island) Bill 2015—
Health Insurance (Pathology) (Fees) Amendment (Norfolk Island) Bill 2015—
Aged Care (Accommodation Payment Security) Levy Amendment (Norfolk Island)
Bill 2015—
Private Health Insurance (Risk Equalisation Levy) Amendment (Norfolk Island) Bill
2015—
First Reading ................................................................. 3064
Second Reading ............................................................... 3064
Migration Amendment (Maintaining the Good Order of Immigration Detention
Facilities) Bill 2015—
Migration Amendment (Strengthening Biometrics Integrity) Bill 2015—
First Reading ................................................................. 3068
Second Reading ............................................................... 3068
Customs Tariff (Anti-Dumping) Amendment Bill 2015—
Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015—
Returned from the House of Representatives ......................................................... 3074
BILLS—
Assent .............................................................................. 3074
COMMITTEES—
Community Affairs Legislation Committee—
Economics Legislation Committee—
Report ................................................................................ 3075
BILLS—
Safety, Rehabilitation and Compensation Legislation Amendment (Exit
Arrangements) Bill 2015—
Second Reading................................................................ 3075
ADJOURNMENT—
Banana Industry ................................................................. 3096
Western Front Anzac Remembrance Tour ......................................................... 3098
Indigenous Communities ..................................................................... 3100
Federation .................................................................................. 3103
DOCUMENTS—
Tabling ................................................................................ 3105
Tabling .................................................................................... 3106
Departmental and Agency Appointments and Vacancies .......................... 3106
Wednesday, 13 May 2015

The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: Documents are tabled pursuant to statute and returns to order. 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.

BILLS

Biosecurity Bill 2014
Biosecurity (Consequential Amendments and Transitional Provisions) Bill 2014
Quarantine Charges (Imposition—Customs) Amendment Bill 2014
Quarantine Charges (Imposition—Excise) Amendment Bill 2014
Quarantine Charges (Imposition—General) Amendment Bill 2014

In Committee

Debate resumed.

The CHAIRMAN (09:31): The committee is considering the Biosecurity Bill 2014 and four related bills. The question is that Australian Greens amendment (15) on sheet 7676 be agreed to.

Question negatived.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:32): I indicate to the chamber that there will be some amendments that I will not be proceeding with. I am reading the sense of the chamber that I am going to go down in a screaming heap on a number of my amendments. However, there are a number of broader issues that I still want to canvass and ask the government some questions on and to get certain things on the record for implementation of the bill and also for interpretation of the bill. So I indicate that I will be withdrawing some of our amendments, because I have canvassed the broader issues that some of them relate to and some of them are dependent on other amendments that have already gone down.

The CHAIRMAN: It may be easiest if we continue through the running sheet and, as we approach those particular amendments, you indicate them then.

Senator SIEWERT: I provided the information to the chamber so that people know where I am going with this debate.

The CHAIRMAN: Thank you.

Senator SIEWERT: I move Greens amendment (16) on sheet 7676:

(16) Page 46 (after line 4), after Chapter 1, insert:

Chapter 1A—Environmental Biosecurity Strategy and Action Plan

33A Environmental Biosecurity Strategy and Action Plan
(1) The Agriculture Minister and the Environment Minister must take all reasonable steps to ensure an Environmental Biosecurity Strategy and Action Plan is developed, and prepared in written form, as soon as practicable after the commencement of this Act.

(2) The Plan must include:
   (a) how Australia will meet obligations relating to biosecurity risk under the Biodiversity Convention; and
   (b) how Australia will meet obligations relating to biosecurity risk under Australia's Biodiversity Conservation Strategy, as in force from time to time; and
   (c) how Australia will meet any other obligations relating to biosecurity risk that the Agriculture Minister, or the Environment Minister, considers relevant.

(3) The Agriculture Minister or the Environment Minister must consult the following when developing and preparing the Plan:
   (a) Indigenous groups;
   (b) industry groups;
   (c) State and Territory governments;
   (d) local governments;
   (e) public sector entities;
   (f) conservation organisations;
   (g) any other interested groups;
   (h) the general community.

33B Variation of Environmental Biosecurity Strategy and Action Plan

(1) The Agriculture Minister and the Environment Minister may vary an Environmental Biosecurity Strategy and Action Plan.

(2) However, the Agriculture Minister and the Environment Minister must not vary an Environmental Biosecurity Strategy and Action Plan unless the persons and groups mentioned in subsection 33A(3) have been consulted.

33C Environment Biosecurity Strategy and Action Plan must be published

The Environment Biosecurity Strategy and Action Plan must be published on:
   (a) the Agriculture Department's website; or
   (b) the Environment Department's website.

33D Review of Environmental Biosecurity Strategy and Action Plan

The Agriculture Minister and the Environment Minister must cause a review of the Environmental Biosecurity Strategy and Action plan to take place:
   (a) within 5 years after the Plan is first developed; and
   (b) once every subsequent 5-year period.

33E Reporting requirements

(1) As soon as practicable after 30 June in each year, the Agriculture Minister and the Environment Minister must prepare a joint report on the implementation and operation of the Environmental Biosecurity Strategy and Action Plan during the previous 12 months.

(2) The report must be included in the annual report of:
   (a) the Agriculture Department; and
   (b) the Environment Department.
This amendment relates to an environmental biosecurity strategy and action plan, specifically to the Minister for Agriculture and the Minister for the Environment taking all reasonable steps to ensure that an environmental biosecurity strategy and action plan is developed and prepared in written form as soon as practicable after the commencement of this act. This is important because it is an essential component and complement to biosecurity laws.

We believe that biosecurity strategy and action plans that identify the priorities, targets and actions necessary to achieve national environmental goals are absolutely essential and must complement this process. The guiding principles for the implementation of article 8(h) of the Convention on Biological Diversity emphasise their importance and identify important elements. The proposed biosecurity strategy would encompass and build on existing strategies and address other invasive species categories, such as invertebrates, fungi and pathogens, and prioritise gaps. It is important to note that invertebrates, fungi and pathogens are often left off people's thinking, and we know how important they are. The development and implementation of these plans should manifest a partnership approach and meaningfully involve the community and the environmental sectors. The community has been arguing very strongly to have in place this strategy and an action plan, which is basically an implementation plan. We think these are important amendments, and those have been our reasons for wanting these amendments. I suspect that the government does not support this amendment, but I would like to hear from the government what it intends to do about putting in place a strategy and action plan/implementation plan.

Senator Fifield (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:35): I am advised by my ministerial colleague that the government will not be supporting your proposed amendment to develop and publish an environmental biosecurity strategy and action plan. It is difficult to isolate environmental biosecurity risks within the overall system because the system operates to manage all biosecurity risks. Dealing with environmental biosecurity as a separate issue or function may actually act to the detriment of the system as a whole.

Senator Siewert (Western Australia—Australian Greens Whip) (09:36): That is where I thought the government would go on this amendment, but I did ask a question about what the government does intend to do. I would like a little bit more detail around that. I am not trying to detain the chamber, but I do want an indication of where the government is going with this process.

Senator Fifield (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:36): I understand we will be responding to that in the government's response to the biosecurity report.

Senator Siewert (Western Australia—Australian Greens Whip) (09:36): With all due respect, that does not answer the question and neither does the report. I am seeking to know whether the government has this on its agenda, what process of strategy development and implementation planning it is going to be undertaking and, importantly, whether it is going to involve the community. I mean community in the broad sense of the word: industry and the broader community, including environmental organisations.

Senator Fifield (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:37): It is on the agenda.
Senator SIEWERT (Western Australia—Australian Greens Whip) (09:37): It would be useful to have time frames and an idea of the process. Is the process going to be consultative and is it going to happen in the near future rather than in the distant future?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:37): I am advised that we will be responding within the next three to four months.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:37): When the minister says responding, does he mean responding to the actual report?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:38): Yes; responding to that report and addressing those issues.

Question negatived.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:38): I indicate that I will move Australian Greens amendments (40) and (41) on sheet 7676 together. Obviously, I am seeking leave to do so. These amendments relate to injunctions by interested persons.

The CHAIRMAN: Can I take it that you will not be proceeding with all the amendments prior to that on the running sheet?

Senator SIEWERT: Most of those relate to matters that we have traversed and on which I have gone down in a screaming heap. I am prioritising the issues for debate in the chamber.

The CHAIRMAN: Leave to move the amendments together is granted.

Senator SIEWERT: I move Australian Greens amendments (40, and (41) on sheet 7676 together:

(40) Clause 528, page 519 (after line 14), at the end of subsection (2), add:

; (c) an interested person (other than an unincorporated organisation); or

(d) a person acting on behalf of an unincorporated organisation that is an interested person.

(41) Clause 528, page 519 (after line 22), at the end of the clause, add:

Meaning of interested person—individuals

(5) For the purposes of an application for an injunction relating to conduct or proposed conduct, an individual is an interested person if the individual is an Australian citizen or ordinarily resident in Australia, and:

(a) the individual's interests have been, are, or would be affected by the conduct or proposed conduct; or

(b) the individual engaged in a series of activities for protection or conservation of, or research into, the environment, or research into biosecurity, at any time in the 2 years immediately before:

(i) the conduct; or

(ii) in the case of proposed conduct—making the application for the injunction.

Meaning of interested person—organisations

(6) For the purposes of an application for an injunction relating to conduct or proposed conduct, an organisation (whether incorporated or not) is an interested person if it was incorporated, or otherwise established, in Australia, and one or more of the following conditions are met:

(a) the organisation's interests have been, are, or would be affected by the conduct or proposed conduct;
(b) if the application relates to conduct—at any time during the 2 years immediately before the conduct:

(i) the organisation's objects or purposes included the protection or conservation of, or research into, the environment, or research into biosecurity; and

(ii) the organisation engaged in a series of activities related to the protection or conservation of, or research into, the environment, or research into biosecurity;

(c) if the application relates to proposed conduct—at any time during the 2 years immediately before the making of the application:

(i) the organisation's objects or purposes included the protection or conservation of, or research into, the environment, or research into biosecurity; and

(ii) the organisation engaged in a series of activities related to the protection or conservation of, or research into, the environment, or research into biosecurity.

These amendments are about injunctions by interested persons and relate to issues around third-party review and injunction rights. They provide third-party rights for review of decisions to seek injunctions to restrain unlawful activity equivalent to those available under the EPBC Act for decisions and activities relating to imports of live specimens. Appeal rights under the Biosecurity Bill are lopsided and provide only for import applicants. Providing appeal rights to people acting in the public interest equivalent to the existing rights under the EPBC Act should improve the quality of decision making and increase accountability. We think it is particularly important that others are able to seek these injunctions and take these actions. As I articulated, we are looking for the equivalent activity that is available under the EPBC Act. Unfortunately, this bill does not provide for that. As I said, the appeal rights are lopsided. We think these are important amendments that deal with very significant issues.

Question negatived.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:40): I move Greens amendment (45) on sheet 7676:

(45) Page 556 (after line 15), at the end of Chapter 10, add:

Part 6—Biosecurity Advisory Council

Division 1—Biosecurity Advisory Council establishment and functions

566A Establishment of Biosecurity Advisory Council

The Biosecurity Advisory Council is established by this section.

566B Functions of Biosecurity Advisory Council

The Biosecurity Advisory Council has the following functions:

(a) to promote a coordinated strategic response to biosecurity issues;

(b) to promote the shared responsibility in minimising all levels of biosecurity risk;

(c) to provide a forum for discussing significant biosecurity issues in relation to meeting Australia's ALOP;

(d) to provide policy advice on biosecurity issues to the Agriculture Minister, the Director of Biosecurity or to State or Territory governments;

(e) to liaise with the Director of Biosecurity and the Inspector-General of Biosecurity;

(f) if requested to do so, to provide advice on any matters relating to biosecurity to the Agriculture Minister;

(g) to engage in public consultation in relation to the performance of any of the above functions;
(h) any other functions conferred on the Council by this Act or another law of the Commonwealth.

566C Directions by Agriculture Minister

(1) The Agriculture Minister may, by legislative instrument, give directions to the Biosecurity Advisory Council in relation to the performance of its functions.

(2) A direction under subsection (1) must be of a general nature only.

(3) The Biosecurity Advisory Council must comply with a direction under subsection (1).

Division 2—Membership of the Biosecurity Advisory Council

566D Membership of the Biosecurity Advisory Council

The Biosecurity Advisory Council consists of the following members:

(a) a Chair;
(b) 9 other members.

566E Appointment of Biosecurity Advisory Council members

(1) Each member of the Biosecurity Advisory Council is to be appointed by the Agriculture Minister by written instrument.

Note: For reappointment, see section 33AA of the Acts Interpretation Act 1901.

(2) In making appointments, the Agriculture Minister must ensure that he or she is satisfied that:

(a) each member has a broad understanding of biosecurity issues; and

(b) the members of the Council have, between them, expertise, skills or knowledge in the following fields:

(i) livestock-based industries;
(ii) cultivated plant-based industries;
(iii) marine-based industries;
(iv) import transport and port-related industries;
(v) environmental conservation;
(vi) marine ecology;
(vii) terrestrial ecology;
(viii) risk assessment;
(ix) economics;
(x) community engagement; and

(c) each member is willing to engage with stakeholders relevant to their area of expertise, skill or knowledge.

(3) Before appointing a member of the Biosecurity Advisory Council, the Agriculture Minister must consult:

(a) if the member is the Chair—the Environment Minister and each State or Territory; and

(b) otherwise—the Environment Minister.

(4) A member of the Biosecurity Advisory Council may hold office on either a full-time or a part-time basis.

566F Term of appointment for Biosecurity Advisory Council members

A member of the Biosecurity Advisory holds office for the period specified in the instrument of appointment. The period must not exceed 5 years.

Note: For reappointment, see section 33AA of the Acts Interpretation Act 1901.
566G Acting Biosecurity Advisory Council members

*Acting Chair*

(1) The Agriculture Minister may appoint a person to act as the Chair of the Biosecurity Advisory Council:

(a) during a vacancy in the office of the Chair of the Biosecurity Advisory Council (whether or not an appointment has previously been made to the office); or

(b) during any period, or during all periods, when the Chair of the Biosecurity Advisory Council:

(i) as absent from duty or Australia; or

(ii) is, for any reason, unable to perform the duties of the office.

*Acting member (other than the Chair)*

(2) The Agriculture Minister may appoint a person to act as a member of the Biosecurity Advisory Council (other than the Chair of the Biosecurity Advisory Council):

(a) during a vacancy in the office of a member of the Biosecurity Advisory Council (other than the Chair of the Biosecurity Advisory Council), whether or not an appointment has previously been made to the office; or

(b) during any period, or during all periods, when a member of the Biosecurity Advisory Council (other than the Chair of the Biosecurity Advisory Council):

(i) as absent from duty or Australia; or

(ii) is, for any reason, unable to perform the duties of the office.

*Eligibility*

(3) A person is not eligible for appointment to act as:

(a) the Chair of the Biosecurity Advisory Council; or

(b) a member of the Biosecurity Advisory Council (other than the Chair);

unless the Agriculture Minister is satisfied that the person meets the requirements of subsection 566E(2).

*Note:* For reappointment, see section 33AA of the *Acts Interpretation Act 1901*.

*Consultation*

(4) The Agriculture Minister must consult the Environment Minister before appointing a person to act as a member of the Biosecurity Advisory Council.

566H Remuneration

(1) A member of the Biosecurity Advisory Council is to be paid such remuneration as the Agriculture Minister determines in writing.

(2) A member of the Biosecurity Advisory Council is to be paid such allowances as the Minister determines in writing.

(3) This section has effect subject to the *Remuneration Tribunal Act 1973*.

(4) Payments under this section are to be funded out of money appropriated by the Parliament for the purposes of this section.

566J Resignation

(1) A member of the Biosecurity Advisory Council may resign his or her appointment by giving the Agriculture Minister a written resignation.

(2) The resignation takes effect on the day that it is received by the Agriculture Minister or, if a later day is specified in the resignation, on that later day.
566K Termination of appointment

The Agriculture Minister may at any time terminate the appointment of a member of the Biosecurity Advisory Council.

566L Other terms and conditions

A member of the Biosecurity Advisory Council holds office on the terms and conditions (if any) in relation to matters not covered by this Act that are determined by the Agriculture Minister.

Division 3—Other matters

566M Persons assisting the Biosecurity Advisory Council

The Biosecurity Advisory Council may be assisted by persons engaged under the Public Service Act 1999 and made available for the purpose by the Agriculture Secretary.

566N Commonwealth bodies to provide information to assist Biosecurity Advisory Council

(1) The Chair of the Biosecurity Advisory Council may request a Commonwealth body to provide information relevant to the Council’s functions.

(2) A Commonwealth body must comply with a request under subsection (1) unless it is not practicable for the body to do so.

(3) Subsection (2) does not apply if providing the information would contravene another law of the Commonwealth.

This amendment relates to the biosecurity advisory council. It is an issue that both industry and environment groups are particularly interested in. We believe that there is a need for greater ability for the government to seek advice from a process that is outside government and that the government should be putting in place a process that enables them to seek advice from those that are outside the system, from people with a range of expertise in biosecurity issues, from an industry perspective, an expert perspective and an environmental perspective. If the government are not prepared to support this amendment, what are they prepared to do?

The functions of the biosecurity advisory council would include: to promote a coordinated strategic response to biosecurity issues; to promote the shared responsibility in minimising all levels of biosecurity risk; to provide a forum for discussing significant biosecurity issues in relation to meeting Australia’s ALOP; to provide policy advice on biosecurity issues to the minister for agriculture and the states and territories; to liaise with the Inspector-General of Biosecurity, which the government has now very significantly put in place; if requested to do so, to provide advice on matters of biosecurity to the minister for agriculture; to engage in public consultation; and any other functions conferred on the council by this act and another law of the Commonwealth.

We think this is a particularly important function. As I said, if the government are not prepared to support this amendment, I would ask them what arrangements they are prepared to put in place that extend the ability for input from such a body of experts in industry, environmental protection or academia and other areas of expertise needed to address biosecurity issues.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:43): The government does not support Greens amendment (45), which, as Senator Siewert has outlined, seeks to establish a biosecurity advisory council. The proposed council does not need legislative powers to support its role. It could be established administratively. The department regularly utilises the expertise of
consultative committees and groups to provide advice and coordinated approaches to management of biosecurity, including with state and territory governments, scientists, primary producers, farming associations and environmental NGOs, and does not require legislative power to engage or establish these groups.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:44): I note the government said that it could be put in place administratively. I make two points there. We want this in the legislation so that it is permanently there, because the current government may be committed to doing something—and I will seek that commitment in a moment—but it does not bind future governments, and that is our concern. I know there is a bit of difference of opinion between the way we see legislation and the way the government sees legislation; we actually believe there are certain things that need to be embedded in legislation and not left to administration—whether it be purely by a process that is set up, or by a regulation or a delegated instrument; those things actually need to be the legislation. That is why we think this should be in legislation—because it is such an important issue. So I will get that on the table: we think this has to be there in legislation and not left just to administration.

I ask the government: are they intending to set up such an advisory committee? And what is their time frame for setting up such an advisory committee? Is it going to be done by regulation? And if so, when do we expect to see those regulations?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:45): The minister already has a ministerial advisory council with significant biosecurity expertise. Is the government intending to set something up specifically on the basis that you have proposed—not at the moment. But the government is very happy to have discussions with you, Senator.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:46): I thank the minister for that response. We are very keen to progress those discussions, at least—given that you are not going to support this amendment—to get a firmer process, such as one using a delegated instrument or a regulation, by which to put in place an advisory committee.

I accept that invitation to hold further discussions about how we can progress that advisory committee and about how we can put such a committee in place in a way that is not just administrative; in terms of not having any form of protection for its existence. I thank the minister for that commitment.

Question negatived.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:47): I move Greens amendment (46) on sheet 7676, which relates to the Eminent Scientists Group:

(46) Page 556, at the end of Chapter 10 (after proposed Part 6), add:

Part 7—Eminent Scientists Group

566P Establishment of Eminent Scientists Group

The Eminent Scientists Group is established by this section.

566Q Functions of Eminent Scientists Group

(1) The Eminent Scientists Group has the function of reviewing and reporting to the Director of Biosecurity on the following:

(a) draft BIRA reports prepared by the Director of Biosecurity;
(b) submissions (if any) received in response to draft BIRA reports;

(c) whether all relevant matters relating to the likely economic, social and environmental consequences of a disease or pest entering, emerging, establishing itself or spreading in Australian territory or a part of Australian territory have been considered in the draft BIRA reports;

(d) whether the conclusions of a provisional BIRA report are scientifically reasonable, based on the material presented.

Timing of the report

(2) The Eminent Scientists Group must give the Director of Biosecurity the report on a review under subsection (1) within 60 days of receiving the draft BIRA report.

Directions from Director of Biosecurity

(3) In performing its functions, the Eminent Scientists Group must comply with any directions given to the Group by the Director of Biosecurity.

566R Appointment of Eminent Scientists Group members

(1) A member of the Eminent Scientists Group is to be appointed by the Director of Biosecurity by written instrument.

Note: For reappointment, see section 33AA of the Acts Interpretation Act 1901.

(2) The Director of Biosecurity must, in appointing members to the Eminent Scientists Group, ensure that the composition of the Eminent Scientists Group reflects the diversity of the interests in the matter or matters that the Group will be dealing with.

(3) The Director of Biosecurity may designate a member of the Eminent Scientists Group as the Chair of the Group.

566S Terms and conditions of Eminent Scientists Group members

(1) A member of the Eminent Scientists Group holds office for the period determined by the Director of Biosecurity.

(2) A member of the Eminent Scientists Group holds office on the terms and conditions (if any) in relation to matters not otherwise covered by this Act that are determined by the Minister.

(3) A member of the Eminent Scientists Group may resign his or her appointment by giving the Director of Biosecurity a written resignation.

(4) The Director of Biosecurity may at any time terminate the appointment of a member of the Eminent Scientists Group.

As we know, the Eminent Scientists Group is a body for which there is a lot of strong support. We believe that this is an essential component of how we deliver biosecurity, and that the Eminent Scientists Group is a key part of delivering for biosecurity.

The functions of such a group would be to review and report on biosecurity—draft BRIA reports prepared by the department; submissions received on any draft BRIA reports; whether all relevant matters relating to the likely economic, social and environmental consequences of a disease or pest emerging, entering, establishing itself or spreading in an Australian territory or a part of the Australian territory have been considered in such reports; and whether the conclusions of a provisional BRIA are scientifically reasonable based on material presented.

We have articulated in our amendments that the Eminent Scientists Group must give the report on a review under section 1 within 60 days of receiving the draft BRIA report; that the group be appointed; that a member of such a group holds office for a period determined by the department; that a member of the group holds office on terms and conditions—in relation
to matters not otherwise covered by this act—that are determined by the minister; that a member of the group must resign his or her appointment by giving a written resignation; and that—obviously—we believe that we need a group of eminent scientists who are able to conduct independent review of the BIRA reports. As I said, we believe this is an essential component of biosecurity risk analysis, and it is concerning to us that this has not been better considered in this legislation. We know that there is a lot of a strong support both in the industry and particularly in environment groups for such a group. Such a group has existed in the past and has provided excellent support, so we ask the government to reconsider this amendment to establish such a group.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:50): The government does not support the proposed amendment. The government has outlined its intention to provide for external scientific input into the biosecurity import risk analysis process within supporting regulations and administrative guidance.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:51): I understand the government would not be supporting this amendment. I am deeply concerned. Again, it is the same argument as for the advisory group: we do not think it is appropriate to include this in delegated legislation and regulation. It is a key part of the approach that we take to biosecurity risk assessment and, therefore, it should be part of the legislation. The same argument stands: if it is in regulation, it is much easier to get rid of that regulation under a new government. This is long-term legislation. The Quarantine Act was in place for a very long time, and it has taken a long time to amend. You could not get rid of such a scientific group if it was actually in the legislation as easily as you could if it was in regulation. It takes a lot more thought to get that process changed. So our argument stands that the establishment of this particular group, because of its essential role in biosecurity risk assessment, should actually be part of the legislation.

I ask the government: when is the regulatory process going to be undertaken to put this body in place? What is the time frame for that and how soon can we expect to see it?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:52): The government will be seeking to implement its arrangements as soon as practicable after the legislation receives royal assent. I understand Senator Colbeck yesterday gave important assurances.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:52): Thank you. 'As soon as practicable'? I have heard that before! Are we talking about the same sort of time frame as mentioned before, within the next three or four months? Also, will there be consultation about the process?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:53): The Eminent Scientists Group already has an integral role. But, in relation to this legislation, there is a 12-month phase-in period.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:53): I am not trying to be pedantic here but I am trying, obviously, to get a clearer indication. Does that mean implementation within 12 months or that it will be in place during the phase-in period of this legislation, during the 12 months?
Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:53): During the 12 months, yes.

Question negatived.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:54): We traversed quite a lot of the issues in the debate, yesterday. I am double-checking that I have discussed all the broader issues that I sought to discuss, that I have sought from the government the assurances that I wanted to seek about how we are going to implement this legislation and about getting it as rigorous as possible. The one area that we have not traversed is the general biosecurity obligation, which is Australian Greens amendment (38)—I beg your pardon, I am going backwards. I move Australian Greens amendment (38) on sheet 7676:

(38) Page 412 (after line 21), after clause 427, insert:

427A Biosecurity industry participant must mitigate risk when carrying out biosecurity activities

(1) A biosecurity industry participant contravenes this subsection if:

(a) the biosecurity industry participant is authorised to carry out biosecurity activities in accordance with an approved arrangement covering the biosecurity industry participant; and

(b) the biosecurity industry participant knows, or ought reasonably know, that carrying out the activity is likely to pose a biosecurity risk; and

(c) the biosecurity industry participant fails to take all reasonable and practical measures to prevent or minimise the risk.

Note 1: See section 427 in relation to when a biosecurity industry participant is authorised to carry out biosecurity activities in accordance with an approved arrangement covering the biosecurity industry participant.

Note 2: The physical elements of an offence against subsection (2) are set out in this subsection.

Fault-based offence

(2) A person commits an offence if the person contravenes subsection (1).

Penalty: Imprisonment for 5 years or 300 penalty units, or both.

Civil penalty provision

(3) A person is liable to a civil penalty if the person contravenes subsection (1).

Civil penalty: 120 penalty units.

427B Requirement to mitigate risk when carrying out biosecurity activities

(1) A person contravenes this subsection if:

(a) the person:

(i) handles or deals with goods that are subject to biosecurity control; or

(ii) is an operator, person in charge of, or otherwise associated with, a conveyance that is subject to biosecurity control; or

(iii) is in a biosecurity response zone; or

(iv) is subject to a determination under subsection 445(1); or

(v) has been given a direction under paragraph 446(1)(a); or

(vi) has a human biosecurity control order in force in relation to them; or

(vii) is subject to a requirement determined under subsection 477(1); or

(viii) is subject to a direction given under subsection 478(1); or
is subject to any other obligation under this Act; and
(b) the person engages in conduct; and
(c) the person knows, or ought reasonably know, that the conduct is likely to pose a biosecurity risk; and
(d) the person fails to take all reasonable and practical measures to prevent or minimise the risk.

Note: The physical elements of an offence against subsection (2) are set out in this subsection.

**Fault-based offence**

(2) A person commits an offence if the person contravenes subsection (1).
Penalty: Imprisonment for 5 years or 300 penalty units, or both.

**Civil penalty provision**

(3) A person is liable to a civil penalty if the person contravenes subsection (1).
Civil penalty: 50 penalty units.

This amendment relates to the general biosecurity obligation that requires all biosecurity participants to exercise a general biosecurity obligation to take all reasonable and practicable measures to prevent and minimise biosecurity risks with provisions similar to those in Queensland’s Biosecurity Act 2014, which is one of the most modern of the acts around Australia.

The amendment will create an offence of accepting goods knowing, suspecting or in wilful disregard of whether the goods are illegally imported or derived from illegally imported goods. We think this is important because, no matter how comprehensive biosecurity laws are, there will inevitably be myriad actions and omissions contributing to biosecurity risks that are not addressed.

The bill review expressed and emphasised the importance of biosecurity as a shared responsibility which requires that biosecurity participants not only obey the law but generally take care to observe, report and minimise biosecurity risks, requiring all biosecurity participants to take all reasonable and practical measures to prevent and minimise biosecurity risk. This will help achieve shared responsibility. This type of obligation was included in Queensland’s Biosecurity Act 2014 and was proposed by the New South Wales government in its Biosecurity Bill 2014.

We believe that it is important that this general obligation is in place, to ensure that we require all participants in the process to a favourable and to make sure that they do take particular care. This whole bill is about our recognition that biosecurity is so important to our environment and to industry. This amendment will enforce that process. I ask the government why it will not support this amendment, particularly as the subject matter has already been included in the modernising of state and territory biosecurity legislation.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:57): The government, as Senator Siewert knows, does not support this proposed amendment. A broad, general obligation on the community with potentially higher penalty levels is problematic to administer. In relation to an additional provision on biosecurity industry participants, an offence on biosecurity industry participants—clause 428 of the bill—makes it an offence for a biosecurity industry participant to fail to carry out biosecurity activities in accordance with their approved arrangement. The primary outcome of these agreements is to manage biosecurity risk, so the government
believes that the amendment is not necessary. The bill, through division 8 of part 1 of chapter 3 and clause 431, also imposes obligations on persons in charge of goods and biosecurity industry participants to report biosecurity incidents, with penalties for non-compliance.

Question negatived.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:59): by leave—I move Greens amendments (36) and (37) on sheet 7676:

(36) Page 395 (after line 24), at the end of Part 2, add:

411A Publication of approved arrangement

(1) The relevant Director must publish, on the relevant Department's website, a proposed arrangement that is approved under this Part as soon as practicable.

(2) An approval that is published under subsection (1) must include:

(a) any conditions to which the approved arrangement is subject; and

(b) the period for which the approved arrangement is to be in force.

(3) The published approval must not include any protected information.

(37) Page 398 (after line 25), at the end of Part 3, add:

416A Publication of variation to approved arrangement

(1) The relevant Director must publish, on the relevant Department's website, the following as soon as practicable:

(a) any variations to the conditions of an approved arrangement under this Division;

(b) any variations to approved arrangements.

(2) The published variations must not include any protected information.

I indicate that these will be the last amendments that I will be moving. These amendments relate to the public release of approved arrangements to be published on the departmental website. The problem that a lot of community members are having—and there has been a long history of this—is that biosecurity is in fact characterised by a lack of transparency. We believe that publishing of approved arrangements would allow greater oversight. These amendments have the support of a wide variety of stakeholders. We believe it is important that these arrangements are released. I understand that some arrangements may be commercial-in-confidence. I understand that process, but we think that this should not stop some form of the release of these approved arrangements.

I understand that the government are going to say no to these amendments—they have telegraphed that fairly clearly—but I ask the government what they are prepared to do to increase transparency on this issue. I think it would help a lot in terms of people understanding how they come to decisions and the broader community's understanding of biosecurity.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:01): On this matter at this time, we will need to agree to disagree. The government does not support proposed amendments (36) and (37). As approved arrangements are voluntary agreements between private entities and the government, the information is protected information and may represent confidential, commercial or sensitive information which is not appropriate to publish. Having said that,
over the implementation period the government is happy to examine ways of progressing further transparency, but being ever mindful of the importance of commercial confidentiality.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (10:02): I must say that that was the answer that I was expecting. I am still disappointed. Can I seek a commitment from government that they will look at this issue of transparency, that there is a recognition that there is a lack of transparency in understanding these arrangements, and that they will seek to consult? I would like to be included in that process.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:02): The government will consult on these issues. I note Senator Siewert's desire to be consulted. In response, I would say that obviously there is no show without Punch.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (10:02): I thank the minister for that. I ask whether that means that they do understand the issues around transparency and the need for greater understanding by the community, particularly key stakeholders, in respect of some of the decisions and arrangements that are made.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:03): Yes, the government does obviously appreciate the desire for maximum transparency, but that has to be balanced with other considerations of commercial confidentiality. That is always the balance. We are aware of the tension and the issues, and we will consult.

Question negatived.


**Third Reading**

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:05): I move:

That these bills be now read a third time.

Question agreed to.

Bills read a third time.

**National Water Commission (Abolition) Bill 2014**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.
Senator McEWEN (South Australia—Opposition Whip in the Senate) (10:06): Labor senators oppose the National Water Commission (Abolition) Bill 2014 because it is very bad policy and very bad legislation. A Bureau of Meteorology report from 2013 showed that, between the years 2050 and 2100, the effects of El Nino are set to intensify, causing lower than average rainfall, or even drought, on Australia's eastern seaboard. To help combat the effects of El Nino, in 2012 the former Labor government extended the Howard government's National Water Commission. The National Water Commission provided an ongoing robust and transparent oversight of all Australian governments' water reform commitments, in particular the important National Water Initiative. Labor believed the National Water Commission was the best means of providing independent assurance on the progress of all governments, particularly for the National Water Initiative and Murray-Darling Basin reforms. Those reforms are very important in my home state of South Australia, where we are disproportionately affected by droughts caused by El Nino.

Ongoing oversight of national water reforms is crucial to Australia's work towards effective and efficient water management and use—particularly in times when the threat of El Nino is heightened. The importance of water in securing Australia's economic and environmental future demands no less—yet today the Senate is faced with the repeal of the National Water Commission. As a South Australian, I cannot see any merit or benefit whatsoever in abolishing this very important independent authority. This bill effectively abolishes an independent expert agency with important functions for both urban water services and the Murray-Darling Basin—important functions that are still required today.

Some of those important functions include auditing the implementation of the Murray-Darling Basin Plan; assessing the performance of the basin states in implementing agreed milestones under the National Partnership on Implementing Water Reform in the Murray-Darling Basin; playing a role in the assessment of Carbon Farming Initiative proposals; and publishing water market reports and national performance reports for metropolitan, regional and rural water agencies. These functions are fundamental to the management of water resources in this country, and even more so for South Australia, where of course water resources are very limited. The NWC also has a key role in providing water sector knowledge leadership, investing in studies or research where knowledge gaps were identified, and developing tools to assist the delivery of technical tasks and generating discussion amongst stakeholders. In many respects this role is critical to non-government stakeholders because it provides the only forum to remain informed and abreast of the issues, to access essential information and to participate in public discussion of the issues.

When it comes to positive environmental reforms, the coalition government has not, unfortunately, had a good track record so far, and this was highlighted in last night's budget. In the 2015 federal budget, climate change and environmental reform got barely a mention. It is a very disturbing budget from the point of view of anybody in this country who is concerned about environmental reforms and the protection of our environment for the future. Last year, we saw the Prime Minister, Mr Tony Abbott, humiliated by world leaders as he was forced to acknowledge that climate change was a priority. Also, embarrassingly, he had to backflip on his initial refusal to contribute to the Green Climate Fund—an international fund to support environmental reform. He was pressured by comparable countries to us to make a contribution to that fund. Just last month, the government released a so-called energy
white paper which made no link whatsoever between energy and climate change. Of course, we know the reason for that, and that is that the federal government is hostage to people who do not believe in climate change, despite repeated influential reports from independent authorities about the devastating effects of rapidly increasing climate change caused by global carbon emissions.

A recent report from the Australian Conservation Foundation on the Murray-Darling Basin shows that the basin is still not protected and that much more needs to be done to support the important Murray-Darling river system. Of the 20 indicators mentioned in that report, seven are red lights while only two are tracking well. The report states that the government has made 'limited progress' on establishing Indigenous water rights, despite 'significant discussion and research'. It also notes that the coalition's cap on water buybacks is 'likely to drive up the cost and reduce the availability of water for the environment'.

The bill that we are discussing here today is yet another step in the wrong direction for the Abbott government's environmental credentials. We have already seen the government slash funding for the Landcare and Caring for Our Country projects that were assisting in returning health to the Murray-Darling system. In trying to abolish the National Water Commission, the coalition is putting a water system of national environmental significance, the Murray-Darling, at risk.

In last night's budget, sadly but not unexpectedly, there was, as I said, very little for the environment and climate change. Unfortunately, the cuts to funding for the Natural Heritage Trust component of the Landcare program of $12.3 million over five years will have severe and lasting effects. Furthermore, the cuts of $22.7 million over two years for water buybacks in the basin could potentially jeopardise full implementation of the Murray-Darling Basin Plan.

The Murray-Darling is a lifeline for my home state of South Australia. There are thousands of people and hundreds of communities, flora, fauna, ecosystems and livelihoods that depend on the river. The successful rollout of the Murray-Darling Basin Plan is crucial to the future of all of those communities and all of those environmental considerations in South Australia. While the Murray-Darling Basin Plan is still in a relatively early stage of its implementation, the National Water Commission's a role in auditing its implementation and associated water resource plans was and is especially important. Any changes to the NWC will risk the plan and subsequently risk a vital resource for South Australia. According to the South Australian Labor government, which has campaigned very hard to protect and enhance the environmental security of the Murray-Darling, any changes to the NWC will also risk a loss of knowledge, leadership and expertise as well as effective support for, and scrutiny of, water reform efforts. The South Australian Labor government believes there is a strong argument for retaining the National Water Commission to ensure effective delivery of the Basin Plan.

There are many surprising things about the legislation but what surprises me in particular is the support it is receiving from South Australian members of the coalition in this chamber, in particular. So, although a 2011 COAG review stated that the National Water Commission 'has become a credible specialist organisation in water reform', South Australian senators on the other side of the chamber are still backing the abolition of the National Water Commission. I note that in his former capacity in the environment portfolio, Senator Birmingham promoted
the proud record of achievement of the National Water Commission, and that is recorded in *Hansard* numerous times. Senator Birmingham previously went on record as saying that the National Water Commission is integral to getting water reform right in this country. He was quoted in *The Sydney Morning Herald* earlier this year as saying—about the National Water Commission—'Nowadays it is nothing more than a government-funded commentary organisation.' Well, what a turnaround in the opinion of that coalition senator—to disparage the National Water Commission, an independent expert authority, in such a way. But of course, we know the coalition government has no truck with independent advice from respectable organisations, and it has persistently tried to abolish or demolish, or underfund or de-fund, numerous independent expert advice organisations, including the Climate Commission. Senator Birmingham also stood in this place in February 2012 and reiterated that one of the first issues he addressed in parliament was the future of the River Murray. He said:

It was partly out of my own personal concerns for better management of the Murray, it was partly as a result of it being the top issue confronting people in my home state of South Australia and it was partly a result of the groundbreaking announcement made by then Prime Minister John Howard in his Australia Day speech of 2007 committing to deliver national management of the Murray-Darling Basin.

But now we see that Senator Birmingham and other coalition senators have changed their tune. Once they were passionate to save the Murray-Darling Basin, and had the plan implemented; but today they are going to support the abolition of the National Water Commission which was set up to do exactly that—to assist in the implementation of the Murray-Darling Basin Plan and to secure the future of the Murray-Darling Basin.

I note that the Senate Environment and Communications Legislation Committee examined the provisions of this bill last year. At that inquiry, senators would have heard—or will have subsequently read—first, the benefits of the National Water Commission that were outlined in the comments by Dr Stuart Khan of the University of New South Wales:

Throughout the last decade, the oversight of the National Water Commission ensured the implementations of advances in many of the objectives laid out in the NWI. Water trading capacity has improved agricultural productivity for many rural Australians. Formal allocation of water to the environment has revived the long-term survival prospects for wetlands and other ecosystems. Major urban water supplies have been bolstered, drastically reducing the likelihood of water restrictions being imposed for most Australians in the coming decades. Drought-plagued States of the USA, such as California, Colorado and Arizona, now point to Australia's NWI as a successful example of cooperation to achieve more sustainable water management.

That is a glowing accolade for Australia's water management under the National Water Commission and under the National Water Initiative. Senators taking part in that inquiry would also have heard the Environmental Farmers Network's submission, which stated:

An independent body with a professional approach and an untrammeled long term view is seen as invaluable in transcending the pressures of short term election cycles and in rationally assessing options and policy directions.

In fact, during the whole inquiry there was very little support for this bill from stakeholders. The urban water industry wants the National Water Commission retained. Environmental scientists want the National Water Commission retained. Traditional owners want the National Water Commission retained. Even groups that are not exercised by the idea that the NWC could be abolished, such as the National Farmers' Federation, admit that the
Productivity Commission's own legislation would need to be amended to retain the important stakeholder engagement and expertise functions that are held within the National Water Commission. Nevertheless, despite all the objections from witnesses to the inquiry into this bill by the Senate environment committee, still the coalition are intending to pursue the abolition of the National Water Commission.

Handing over the functions of the commission to the Productivity Commission totally ignores the expertise, the independence and the experience of the National Water Commission. The Productivity Commission is not equipped to undertake the audit and assessment functions of the National Water Commission, and handing over the functions will leave our water resources worse off. Of course, that will be devastating to my home state of South Australia, where every drop of water is precious.

We know the government must step up and take the protection of our resources seriously, particularly in a situation when climate change is causing longer droughts, with greater impacts, in Australia. We all know also that the government's excuse that this bill will help in their so-called budget savings is a farce; you only have to look at last night's budget to see that reinforced. This is merely taking more money out of the environment to shore up the Prime Minister's job, going into a future election.

The government has given no indication so far that it will address the weaknesses in this bill, which include the weakness of giving this responsibility to the Productivity Commission, which as I said does not have the capacity, legislative or otherwise, to do the work of the National Water Commission has done. Perhaps the Australian Conservation Foundation said it best when they said:

To abolish the National Water Commission (NWC) and give responsibility of water management to the Productivity Commission would be a short-sighted and backward step, particularly in the absence of substantial changes to the mandate and operation of the Productivity Commission. It would likely result in another wave of conflicts over water due to the absence of what all sides regard as a well-respected expert independent body.

'A well-respected expert independent body': that is why most of the submitters to the environment committee's inquiry into this bill supported the retention of the National Water Commission. Without an independent agency such as the commission, not only is there a risk of inefficient management and the prospect of increased water costs for stakeholders but there is also the risk of significant backsliding on environmental reform as it applies to water in particular. That will jeopardise the agreement between the states to pursue reform in the Murray-Darling Basin Plan, as well as the little bit of multiparty support in this place that there has been for the Murray-Darling Basin Plan.

I oppose this bill. It is a disturbing piece of legislation—not surprising, of course, from a government that has absolutely no environmental credentials or credibility. I urge senators, particularly my South Australian coalition colleagues in this place, to think about what they are doing when they support the abolition of this very valuable National Water Commission.

Senator LAZARUS (Queensland) (10:23): I will not speak for a long time but I just want to make sure that everyone understands my attitude towards this piece of legislation, the National Water Commission (Abolition) Bill I make it perfectly clear that I will be voting against the abolition of the National Water Commission. The National Water Commission is an independent statutory authority that was established to provide advice on national water
issues to the Council of Australian Governments, COAG, and the Australian government. The commission is responsible for providing independent assurance of government's progress on the management of water.

In my home state of Queensland, some 75 per cent of the state is in drought. In Western Queensland, farmers have not seen decent rain for years. The land is dried up to the point where nothing will grow, animals are dying through dehydration, farms and communities are closing, and farmers are killing themselves. The land has become an absolute dust bowl. In other parts of Queensland, CSG mining is affecting the underground watertable, drying up bores and wells and contaminating what water is left on the land.

You cannot tell me that this country does not need a national organisation dedicated to the management of water across this country. If the Romans could build aqueducts thousands of years ago and shift water across Europe, surely Australia can better manage its water today. If we can build piping across the country to shift gas, surely we can build infrastructure to shift water.

I cannot and I will not support the abolition of the National Water Commission. Funding needs to be returned to this organisation immediately. The organisation needs increased powers to manage water across the country and to work with all states to achieve the efficient and effective distribution of water to all key areas across this wide country. We are in crisis in this country because much of this country is in drought. Possibly the next war we fight will be over water. It is one of our most precious resources and it deserves the most comprehensive focus, resources and management possible.

Senator FIERRAVANTI-WELLS (New South Wales—Parliamentary Secretary to the Minister for Social Services) (10:26): I thank those people who have spoken in relation to this debate.

The PRESIDENT: The question is that the bill be now read a second time.

The Senate divided. [10:31]

(The President—Senator Parry)

Ayes......................32
Noes......................30
Majority..............2

AYES

Back, CJ
Bernardi, C
Birmingham, SJ
Bushby, DC
Canavan, M.J.
Cash, MC
Day, R.J.
Edwards, S
Fawcett, DJ
Ferravanti-Wells, C
Fifield, MP
Heffernan, W
Johnston, D
Lambie, J
Leyonhjelm, DE
Madigan, JJ
McGrath, J
McKenzie, B
Muir, R
Nash, F
O'Sullivan, B
Parry, S
Payne, MA
Reynolds, L
Ronaldson, M
Ruston, A (teller)
Ryan, SM
Scullion, NG
Sinodinos, A
Smith, D
Senator Conroy did not vote, to compensate for the vacancy caused by the resignation of Senator Mason

Question agreed to.

Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (10:33): by leave—I move government amendments on sheet ZA379 as revised:

(1) Clause 2, page 1 (line 8), omit "1 January 2015", substitute "the day after this Act receives the Royal Assent".

(2) Schedule 1, page 4 (after line 1), insert:

Productivity Commission Act 1998

1A Section 25

Before "The", insert "(1)".

1B At the end of section 25

Add:
Despite subsection (1), the Minister must appoint an Associate Commissioner for the purposes of an inquiry on the matter mentioned in subsection 87(1) or (2) or 88(1) or (2) of the Water Act 2007.

An Associate Commissioner appointed under subsection (2) must have extensive skills and experience in water resource management.

Schedule 1, item 6, page 5 (line 17), at the end of the heading to subsection 87(3), add "etc.".

Schedule 1, item 6, page 5 (after line 26), after subsection 87(3), insert:

(3A) Once the matter has been referred to the Productivity Commission for inquiry, the Chair of the Productivity Commission must establish a stakeholder working group in accordance with section 89.

Schedule 1, item 6, page 6 (line 23), at the end of the heading to subsection 88(3), add "etc.".

Schedule 1, item 6, page 7 (after line 3), after subsection 88(3), insert:

(3A) Once the matter has been referred to the Productivity Commission for inquiry, the Chair of the Productivity Commission must establish a stakeholder working group in accordance with section 89.

Regard to be had to objectives of National Water Initiative

(3B) When conducting an inquiry, the Productivity Commission must have regard to the objectives provided for in clause 23 of the National Water Initiative.

Schedule 1, item 6, page 7 (after line 14), at the end of Part 3, add:

89 Stakeholder working group

(1) A stakeholder working group is to be established for each matter referred to the Productivity Commission for inquiry (a referred matter).

(2) A stakeholder working group for a referred matter:

(a) is to exchange information and views on the referred matter or any issues relevant to it; and

(b) may provide advice to the Productivity Commission on the referred matter or any issues relevant to it.

(3) A stakeholder working group for a referred matter is to consist of such persons as the Chair of the Productivity Commission thinks fit who are representative of any:

(a) agricultural, environmental, industry, Indigenous or urban water body; or

(b) other body with an interest in the referred matter.

(4) Subject to subsections (5) and (6), the Chair of the Productivity Commission may determine:

(a) any allowances that are payable to a member of a stakeholder working group in relation to his or her contribution as a member of the stakeholder working group; and

(b) any other matter relating to the functioning of a stakeholder working group.

(5) Despite the Remuneration Tribunal Act 1973, a member of a stakeholder working group is not to be paid any remuneration in relation to his or her contribution as a member of the stakeholder working group.

(6) A stakeholder working group for a referred matter must meet at least twice about the referred matter before the Productivity Commission submits its report on the matter to the Productivity Minister.

(7) To avoid doubt, a member of a stakeholder working group is not a public office within the meaning of the Remuneration Tribunal Act 1973.

(8) Schedule 1, item 7, page 8 (line 6), omit paragraph (b) of the definition of final reporting period, substitute:

(b) ending at the end of the day occurring before the transition time.
Also I table two supplementary explanatory memoranda relating to these government amendments.

**Senator Rhiannon:** I am sorry, I did not see the amendments circulated.

**The TEMPORARY CHAIRMAN (Senator Lines):** The amendments have been circulated, Senator Rhiannon. We can get a copy to you.

**Senator Rhiannon:** Can the minister just outline them briefly—which he was probably going to do—so we have got some clarity?

**The TEMPORARY CHAIRMAN:** Thank you, Senator Rhiannon. I call the minister.

**Senator BIRMINGHAM** (South Australia—Assistant Minister for Education and Training) (10:34): Senator Rhiannon and senators, of course, this debate has recommenced from earlier sessions, and these amendments were circulated in earlier sessions. So I appreciate they may not be the top of the pile of papers on your desks. But they certainly are available to all senators and have been circulated previously.

These amendments are a result of some constructive discussions with various crossbenchers, and I thank the various crossbenchers for their assistance and cooperation in the discussion on this legislation. It is important, given that a summing-up speech was not given by the government in relation to this legislation, to emphasise once again that the abolition of the National Water Commission is in no way changing or varying the government’s commitment to water reform in Australia or the government’s commitment to seeing the delivery of the Murray-Darling Basin Plan in full and on time. It is simply about ensuring the delivery of that plan and about ensuring that the application of water reform in Australia occurs in the most efficient way possible. It is the government's view that the expense and cost of having an additional, stand-alone statutory authority is unnecessary, that its key functions in terms of undertaking the assessments on the implementation of the Murray-Darling Basin Plan and the assessment on the implementation of the National Water Initiative can be done in alternative ways without having that stand-alone entity.

These amendments that are before the chamber strengthen some of the consultation provisions and some of the arrangements for the conduct of those inquiries. To take the Senate through them, as Senator Rhiannon has requested, we have some additional requirements to the legislation that require the appointment of an Associate Commissioner for the purposes particularly of the Water Act and that that commissioner must have extensive skills and experience in water resource management. That is ensuring that when the triennial assessment against the National Water Initiative is undertaken we actually have in place appropriate arrangements whereby there is an expert as part of that assessment process in the Productivity Commission. There are some further changes that ensure that a stakeholder reference group is established within the Productivity Commission to, again, add expertise and make sure that the Productivity Commission is well placed to undertake a full, thorough and proper assessment of the application of the National Water Initiative.

There are some further and similar amendments, most of which are more procedural in their matters, about the establishment of the state border reference group and what its composition will be, ensuring of course that people from agriculture, industry, the environment, Indigenous communities, urban water and other interested parties will form part of that stakeholder reference group. So, really, these amendments are simply strengthening
the provisions in the bill to ensure that we have proper ongoing consideration of assessments around the National Water Initiatives and make sure that the Productivity Commission is well placed to do so. I am sure and I hope and trust that all senators, regardless of their views in relation to the overall legislation, would see these as being sensible amendments that strengthen the provisions in the bill.

Senator XENOPHON (South Australia) (10:39): I indicate that I did not get an opportunity—and I bear responsibility for this—to speak on the second reading stages of the bill. I can indicate that I voted against this bill because I think when it comes to issues of water it is worth having a specialist body, such as the National Water Commission, to focus solely on these issues, rather than having them wrapped in with the Productivity Commission. Even though I have a lot of regard for the Productivity Commission, I think that having a specialist body with that level of knowledge is absolutely desirable and preferable to having this being rolled into the Productivity Commission. It raises issues of whether there will be sufficient time, in Senate estimates for instance, for the Productivity Commission's proposed new role to be adequately ventilated and be subjected to adequate questioning.

The National Water Commission did perform a lot of valuable work, and it still performs that work even though it has been effectively gutted through its funding being taken away. But it played a role in terms of water savings, re-use strategies and technology. Stormwater harvesting is another issue that I feel very passionately about. I know that Senator Rhiannon has a particular interest in that. I think it is important to have a body that is robustly independent and can fearlessly say to any government of any persuasion that you are going down the wrong path in relation to a water strategy. I cannot see that the Productivity Commission, as good and as capable as they are, will see itself as having the role of being a robust advocate for policy concerns in the water sphere. I remember that when I was elected to this place South Australia was in the middle of one of its worst droughts, as was much the of the nation. The Murray was little more than a creek and river banks were collapsing on themselves. It was an absolute crisis. I know that Senator Birmingham, the minister back then, was also a passionate advocate for a solution for the River Murray. I saw the National Water Commission as playing an integral role—being a watchdog in a sense. I think we will lose that with respect to this particular bill. We need a national independent body to monitor and oversee water use, a body that takes the issue out of the hands of the states and treats our national resource as just that: a national resource.

I am concerned about these changes. I met with the parliamentary secretary, Mr Baldwin, two nights ago, and I do acknowledge that the government has attempted to deal with some of these concerns. I appreciate the time and the effort Mr Baldwin and the minister have made on this, but I still think it is a second-best solution to having a strong and robust National Water Commission in the scheme of managing this nation's water policy.

Senator SINGH (Tasmania) (10:42): The opposition does not support these amendments, just as we do not support the National Water Commission (Abolition) Bill 2014, in its entirety, because as we have outlined it is lazy and short-sighted and I think these amendments are a cynical last-minute attempt to gain support for a dud policy. They do not go anywhere near far enough to ensure that the Productivity Commission can retain the value of the National Water Commission. The National Water Commission, as has been outlined by my Senate colleagues on this side of the chamber, particularly just recently by Senator
McEwen, is an independent, expert authority whose work has not been completed, because water reform in this country has not been completed. But the government seems to be bent on getting rid of independent, expert authorities, be it the Climate Commission and now the National Water Commission. It is incredibly short-sighted.

Appointing an associate commissioner in this amendment, with expertise in water management, would of course add value to its work in water, should the National Water Commission be abolished. We acknowledge that. Also, binding the Productivity Commission to convening a stakeholder working group would also lend greater credibility to its work on water management. But these amendments really are just window dressing. They are a last-minute attempt to gain some support for this policy, which is just so incredibly short-sighted, when water reform in this country has not been completed.

We know that this commission was an initiative established by John Howard to deliver the National Water Initiative. The coalition government are now walking away from that initiative that was set up by the then Liberal coalition government. It is a little hypocritical, it threatens all of the progress that the National Water Initiative has gained and it betrays stakeholders who depend on effective national water reform in this country. For all of those reasons, the opposition will not be supporting these amendments.

Senator RHIANNON (New South Wales) (10:45): The Greens do not support the amendments in the National Water Commission (Abolition) Bill 2014. The amendments do not improve the situation. We need to remember that this legislation is about removing the National Water Commission and that once the legislation has gone through that body is gone. The amendments that we now have before us to the Productivity Commission are not a saviour in any way at all, and that is what we need to be focusing on in this aspect of the debate. We are about to lose a body that has great expertise, that brings the independence that is so critically needed to something that is so fundamental to this country and to this continent—a very dry continent. We have heard many speakers in the second reading debate refer to the challenges with el Nino that are possibly coming on. Individual farmers are experiencing drought. Some of the National Party members are speaking about these issues regularly, and here we have a situation where National Party members will be voting with the Liberal Party to ditch this most important body that is not favouring any side of politics—but it is needed for our economy, our environment, our livelihood, for the very way our rural areas work and for how we protect the environment. It is right across so many areas.

That is why it is worth reminding ourselves of what will be lost—like the Murray-Darling Basin plan, which is not completed yet, and which is critical to Queensland, New South Wales, Victoria, South Australia. That work will continue, but it is a reminder of why we need the National Water Commission in so many areas—particularly in New South Wales, which I obviously know well, as I come from there, but increasingly in other states. Conflicts between mining, development, farming, local environment protection are very challenging issues for our governments to work out. For us as lawmakers, this is where this body is so urgently needed. What possessed the government to come up with this legislation? Let us remember where it comes from. It comes out of the very ugly 2014 budget—a budget that will go down in the history of budgets. When else have we had a budget that people talked about for a whole year? The moves by the government to get rid of the National Water
Commission is again an attempt to save money, which is one of the key aspects of this legislation. That is where this bill has come from.

On the second day after the 2015 budget came down, surely this government should have come to its senses. They remembered a few things in the budget that were bad news for the people of Australia and shifted away from them to some extent. Surely this should be one item that is put into the basket of 'we will just rescue that from the 2014 budget, and we will not pursue it', because the National Water Commission is our only independent body that oversees water policies in this country. That is what we are about to lose. Again, I would remind you that these amendments add nothing. They do not retrieve the situation at all. It is an enormous setback. It is a setback for our country and it is obviously a setback for wise water policies. But I would say it is particularly a setback for people in rural communities. That is where lack of water hits first, and hits hard.

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (10:49): I want to comment in relation to a few points made by the previous contributors. Firstly, I think it is quite irrational of the Labor Party and the Greens to oppose these amendments. As I said in moving them, I respect the right of those other senators who wish to oppose the bill to oppose the bill. But these amendments, should this bill be passed, will strengthen arrangements in the future, which I would have thought would have been welcomed by all senators. In fact Senator Singh, in her contribution, said that the establishment of an associate commissioner for the purposes of undertaking the inquiries 'would add value'. Senator Singh said that the establishment of the stakeholder working group proposed by these amendments 'would lend greater credibility'. If they are going to add value and lend greater credibility, why would you vote against the amendments? You can still maintain your position of opposition to the overall package, but these amendments will strengthen the package if it goes through. Frankly, I think it is irresponsible of Labor and the Greens to be opposing amendments that clearly make sense and clearly will ensure that, should this bill pass, there will be better arrangements in the future. In effect, by voting against these amendments they are saying: 'Should the bill pass, we want weaker arrangements in the future.' That is a very foolish position to take in terms of being constructive in the development of legislation in this chamber.

More generally, Senator Singh noted that the National Water Commission was established under the Howard government. That is correct. It was also established with a sunset clause and a provision at the time; it was never envisaged that it would be an entity there forever. It was always recognised that as an entity it had some particular roles to be undertaken and that in time, as the skills and establishment of water architecture and policy at the Commonwealth level further developed through the water reform process, there may be better and more efficient ways to have the jobs of the National Water Commission undertaken. I think it is important to remind senators that we do have an independent Murray-Darling Basin Authority that will continue to do its jobs, one of which is managing the overall operations of the Murray-Darling river system. The other job it does is the development and management of the Murray-Darling Basin Plan. It still does those two jobs, quite clearly, and will continue to do so under these reforms.

In relation to some broader water policy issues, we have an independent expert scientific committee that provides advice to government on water issues in relation to matters like coal
Wednesday, 13 May 2015

CHAMBER

seam gas and large coalmining developments. It is an independent body providing advice to government and it will continue its operation.

The Department of the Environment continues their work, particularly in the recovery of water, in relation to meeting the objects of the Murray-Darling Basin Plan. It is important for all senators and those listening to this debate to understand that the National Water Commission did not develop the Murray-Darling Basin Plan and does not recover the water under the Murray-Darling Basin Plan. All it does in relation to the Murray-Darling Basin Plan is undertake a five-early assessment of compliance against it. The government's assessment is that that work, along with the work in relation to the three-yearly assessment of the National Water Initiative, can be undertaken more efficiently by having the Productivity Commission do it, instead of having a separate body, with all of the overheads and costs in place. We think the Productivity Commission is well placed to do so. They have done previous reports in relation to water policy, including during the life of the National Water Commission. The Productivity Commission, as it currently stands, even without the amendments proposed, has a very strong expertise in relation to water policy.

Mr Harris, the chairman of the Productivity Commission, has noted in correspondence with some of the crossbenchers that both he and Daryl Quinlivan, the head of office at the commission, were previous commissioners of the Murray-Darling Basin Commission and have a strong interest in water policy as a result of that work. Other members of the commission's executive have also worked on water policy in the past, and are therefore well placed to approach these tasks with a good knowledge base and a strong professional interest.

But we have acknowledged that we can strengthen the Productivity Commission's capacity to do this. We are, of course, funding them to do this work in the future. The amendments before us strengthen their capacity to do this work by providing for the appointment of the associate commissioner, who will have extensive skills and experience in water resource management. Complementing that work of the associate commissioner and the Productivity Commission in general, we require the establishment of a stakeholder reference working group, which will provide for a raft of other skills and experience to come in. Frankly, it will probably lead to a more independent, more robust and more consultative arrangement, as these reviews are undertaken, than we have through the existing framework.

I commend the amendments to the Senate. I am confident that what we will see is a robust and independent framework in future, that will ensure that we get on with the job of delivering the Murray-Darling Basin Plan in full and on time, and that we ultimately have in place arrangements that provide for strong and robust critiquing of water policy around Australia, as we currently have, in the same time frames as we currently have, just in a more efficient manner.

Senator SINGH (Tasmania) (10:55): I will put a question to Senator Birmingham, but firstly I cannot let that go. He is trying to justify these amendments by saying that the opposition is somehow weakening the government's own bill through not supporting these amendments. It is, in fact, the government that is weakening water reform in this country by having this bill pass in this place. It is certainly not the opposition who want to weaken water reform; in fact, we want to continue to strengthen water reform and we support the National Water Initiative through the continuation of the National Water Commission, because we
know the work of the National Water Initiative—carried out by this independent expert body—has not been completed.

It was in fact former prime minister John Howard who saw the need to establish this National Water Commission to fulfil this task of water reform. So it is not, in any way whatsoever, the opposition that is weakening the water initiatives in this country; the government is weakening them by putting forward an abolition bill which gets rid of the National Water Commission.

I ask the minister, in light of the fact that the National Water Initiative has the task of water reform—and the National Water Commission is intrinsic in carrying out that role—and in light of the fact that that is not completed, what is the justification, other than this word of ‘efficiency’? This would mean a saving of only .0001 per cent of its expenditure in the forward estimates.

How can you justify abolishing this independent expert body? Without it the future of the Murray-Darling Basin Plan will be continued to be threatened and our water resources will be left worse off. How can you justify its abolition, when your former prime minister John Howard saw the need to set it up to ensure that water initiatives and water reforms were carried out in this country?

**Senator BIRMINGHAM** (South Australia—Assistant Minister for Education and Training) (10:58): Firstly, in relation to Senator Singh’s preamble, I will let others form a judgement on the basis of Senator Singh’s trying to justify why it is that she and the Labor Party are voting against amendments that she says, in her own words, would add value and lend greater credibility. They were her words. She says the amendments would add value and lend greater credibility but she is going to vote against those amendments. It is a nonsensical position but others can form their own judgements; I will not re-litigate the arguments, there.

In relation to Senator Singh’s overall question, ‘Why do this?’ as a government we believe that if you can get things done more efficiently it is worth doing so. The budget savings from this measure amount to around $20 million. I am sorry that Senator Singh does not think that $20 million of taxpayers’ money is worth saving if you can save it. We on this side of the house do believe it is worth saving if you can save it. We do not believe that $20 million is inconsequential. It may only be a small fraction of the enormous scale of government expenditure that occurs each year, but it is still $20 million. It is still $20 million that taxpayers are paying for or that we have to borrow, sadly, in our current deficit situation. So we believe it is well worth saving. But we are doing so in a manner that we think is completely responsible.

We are not saving all of the costs associated with the National Water Commission; we are, instead, directing funding from National Water Commission appropriations to the Department of the Environment, the Department of Agriculture and the Productivity Commission so that the various important functions that we value in the National Water Commission can be continued into the future.

The funding required to undertake the work has been redirected to other agencies to ensure that work is undertaken whilst getting the savings that we can without jeopardising the quality of the work in place.
Senator Singh can claim time and time again that, somehow, the loss of the National Water Commission will endanger delivery of the Murray-Darling Basin Plan. I am yet to hear any evidence that demonstrates how that could be the case. Ultimately, the Murray-Darling Basin Plan is developed by the Murray-Darling Basin Authority, approved by this parliament, and delivered through the work, largely, of the Department of the Environment working with the states. It is the Department of the Environment that undertakes all of the water-recovery activities associated with delivery of the Murray-Darling Basin Plan. The National Water Commission did not develop the Murray-Darling Basin Plan. It does not do work in implementing the Murray-Darling Basin Plan. Its role is to undertake a five-yearly assessment of the implementation of the Murray-Darling Basin Plan. That five-yearly assessment will still be undertaken every five years by the Productivity Commission instead.

The TEMPORARY CHAIRMAN (Senator Sterle): The question is that government amendments (1) to (8) on revised sheet ZA379 moved by the minister now be agreed to.

The committee divided. [11:05]

(The Temporary Chairman—Senator Sterle)

Ayes .....................32
Noes .....................29
Majority ..............3

AYES

Back, CJ
Birmingham, SJ
Canavan, M.J.
Day, R.J.
Fawcett, DJ
Fifield, MP
Johnston, D
Leyonhjelm, DE
McGrath, J
Muir, R
O’Sullivan, B
Payne, MA
Ronaldson, M
Ryan, SM
Sinodinos, A
Wang, Z

Bernardi, C
Bushby, DC
Cash, MC
Edwards, S
Ferravanti-Wells, C
Heffernan, W
Lambie, J
Madigan, JJ
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Ruston, A (teller)
Scullion, NG
Smith, D
Williams, IR

NOES

Bilyk, CL (teller)
Bullock, J.W.
Collins, JMA
Di Natale, R
Gallagher, KR
Ketter, CR
Lines, S
McAllister, J
Milne, C
O’Neill, DM
Rhiannon, L

Brown, CL
Cameron, DN
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lazarus, GP
Ludlam, S
McLucas, J
Moore, CM
Peris, N
Rice, J

CHAMBER
Senator Wong did not vote, to compensate for the vacancy caused by the resignation of Senator Mason.

Question agreed to.

Bill, as amended, agreed to.

Bill reported with amendments; report adopted.

Third Reading

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (11:08): I move:

That this bill be now read a third time.

The PRESIDENT: The question is that this bill now be read a third time.

The Senate divided. [11:10]

(The President—Senator Parry)

Ayes .................... 32
Noes .................... 29
Majority ................ 3

AYES

Back, CJ
Birmingham, SJ
Canavan, M.J.
Day, R.J.
Fawcett, DJ
Fifield, MP
Johnston, D
Leyonhjelm, DE
McGrath, J
Muir, R
O'Sullivan, B
Payne, MA
Ronaldson, M
Ryan, SM
Sinodinos, A
Bernardi, C
Bushby, DC
Cash, MC
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Lambie, J
Madigan, JJ
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Ruston, A (teller)
Sculfion, NG
Smith, D
Senator Wong did not vote, to compensate for the vacancy caused by the resignation of Senator Mason.

Question agreed to.

Bill read a third time.

Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator CAMERON (New South Wales) (11:12): I rise to indicate that the opposition supports the second reading of the Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill. The government has circulated amendments that the opposition has had very little time to consider. However, I am able to indicate that, subject to satisfactory considerations of the amendments in the committee stage, the opposition will be in a position to support an amended bill.
In December last year, the Federal Court made a determination that the Seafarers Rehabilitation and Compensation Act 1992 not only covers registered ships trading interstate or overseas but also extends to cover all employees on all registered ships if they are owned by an Australian trading corporation, an Australian financial corporation or a foreign corporation. The decision applies no matter whether they are trading in Australia or what the business of the ship may be, and that includes ships engaged in intrastate work.

Labor acknowledges that the Federal Court's decision has created uncertainty in the sector and consequently we have engaged with the industry to find a solution. This is also why we worked cooperatively with the government to expedite a Senate committee process to investigate the government's original bill. What the Senate committee process evidenced was that the original government bill was not the solution. The government had clearly not conducted a proper consultative process in the drafting of the original legislation. Key employer bodies and unions were not adequately consulted.

Acknowledging that the Federal Court's decision had created uncertainty, and after engaging with stakeholders, the opposition asked the government to urgently convene industry talks to find a workable solution. I am pleased that the government heeded the advice of the opposition and convened those talks with the Australian Shipowners Association, the Maritime Union of Australia and other interested parties. Through those consultations, the industry has been able to arrive at a solution to address the immediate impact of the Federal Court decision, which is the amended bill.

This amended bill will provide certainty. However, it is incumbent upon the government to sit down once again with the industry stakeholders, including employers and unions, to work on a longer term solution. I also note that the government has given an undertaking to monitor the impact of this legislation. Finally, I would like to thank the industry stakeholders, including the Australian Shipowners Association and the Maritime Union of Australia, for their genuine and constructive efforts.

Senator McKENZIE (Victoria) (11:15): As Chair of the Senate Education and Employment Legislation Committee, I too rise to speak to the Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill 2015. The Federal Court's decision in Sampson Maritime Pty Ltd and Aucote—know as the Aucote decision—has resulted in a profound shift in workers compensation and work health and safety arrangements in the Australian maritime industry under the Seacare workers compensation scheme. This bill protects the viability of the Commonwealth Seacare scheme by restoring certainty about the historical coverage of the scheme for all participants, including seafarers and their representatives, employers, insurers and regulators. Importantly, this bill seeks to ensure that all previous claims lodged under the scheme between 1993 and now continue to be valid.

Successive governments at both Commonwealth and state and territory levels, maritime regulators, employers and seafarers have operated on the basis that the Seacare scheme generally applies to ships and units engaged in interstate and international trade or commerce. It was also widely understood that state and territory workers compensation and work health and safety laws apply to employees on ships engaged in intrastate voyages. The court's decision has effectively expanded coverage of the Seacare scheme to intrastate voyages. Before the Aucote decision, the Seacare scheme was understood to apply to around 330 ships.
Following the decision, the Seacare scheme could cover as many as 11,000 ships and maybe more, with potentially retrospective effect going back to 1993. Whereas the Commonwealth was responsible for regulating workers compensation and work health and safety for a small proportion of the maritime industry before the decision, it now has the responsibility for the vast majority of the industry. This responsibility cannot be supported from existing resources as the scheme and its funding were never designed to accommodate such costs. It represents a massive cost shift from the states to the Commonwealth and could require the recouping of insurance fees and moneys from formerly injured workers going back to 1993.

For historical purposes, the bill seeks to clarify the distinction between Commonwealth and state coverage of workers compensation and work health and safety for seafarers that was understood to exist since the commencement of the Seacare scheme. To effectively achieve this, the bill applies retrospectively to any injury, loss or damage suffered by any employee on or after the commencement of the Seafarers Rehabilitation and Compensation Act in 1993. Critically, this will ensure that past claims will not be distributed. This approach ensures that there is certainty as to what a seafarer's appropriate workers compensation rights are and have been. This bill does not seek to change pre-existing workers compensation entitlements and work health and safety protection for seafarers. This bill is about providing certainty regarding past actions for maritime industry employers and employees.

This bill will amend the Seafarers Rehabilitation and Compensation Act to address a recent Federal Court decision and expand the scope of the act from what it was understood to be, which could have had impact on historical claims under the scheme. To put this into perspective, as I mentioned, the scheme was never actually designed to cover the number of ships that this court decision obliges it to do, potentially expanding it to 11,000 ships. We do not have those resources. The states are very quick and comfortable to cost shift towards the Commonwealth, and it has been quite productive, I think, for both the opposition and the government to come to a position where we put the Commonwealth's future and the Commonwealth's perspective first. I congratulate all involved in coming up with that outcome. I also want to thank the unions, the employer groups and the Seacare authority for working with the government to reach a consensus approach on this bill. As you know, amendments to the bill are being circulated in the chamber.

The Seacare scheme is, effectively, relatively confined in scope, only applying to employers and employees in the defined part of the broader maritime industry. The Seacare scheme has been commonly understood to apply to ships and units engaged in interstate or international trade. Ships and units engaged in intrastate trade—that is, those operating solely or primarily within the coastal waters of a single state—were understood to be covered by state workers compensation and work health and safety laws. This approach to coverage was consistent with the coverage of the Seamen's Compensation Act 1911, which established Australia's first national workers compensation scheme for seafarers. Based on this understanding, the Seacare scheme applied to approximately 33 employers and 7,516 employees, or 4,721 full-time equivalent employees, in 2013-14—about 20 per cent of the Australian maritime industry. Submissions were received to the review of the Seacare scheme, and that review was undertaken by Mr Robin Stewart-Crompton and published in 2013. The submissions that were received provided evidence that industry participants had a narrow view of the coverage of the scheme.
I want to turn briefly to the decision which precipitated the construction of this bill. In the Aucote decision an alternative broad interpretation of the coverage provision of the Seacare scheme was upheld. The Full Court of the Federal Court held that the Seacare scheme applies to all seafarers employed by a trading, financial or foreign corporation on a prescribed ship and to operators of prescribed ships that are trading financial or foreign corporations.

The majority of employers and operators within the maritime industry are either trading or foreign corporations and, as such, the practical consequence of this broad interpretation is that the Seacare scheme extends to most of the Australian maritime industry, including ships and units that primarily operate within a single state. It was understood that these ships and units were covered by state workers' compensation and work health and safety laws. It is estimated that the Aucote decision's broad view of coverage could mean that the Seacare scheme would apply to 11,000 vessels and approximately 20,000 employees. As a short-term measure, the Seacare Authority has granted a broad exemption, under section 20A of the Seafarers Act, aimed at addressing the expanded coverage of the Seacare scheme resulting from the Aucote decision.

As stated by the Seacare Authority on its website, this exemption is intended as a transitional measure that aims to provide certainty to industry participants on their workers' compensation arrangements while the parliament considers the bill. Exemptions granted under section 20A have only a prospective application and there is no ability for the Seacare Authority to exempt ships from coverage of the Occupational Health and Safety (Maritime Industry) Act. We have also issued declarations under the Seafarers Act and Occupational Health and Safety (Maritime Industry) Act.

The government acknowledges that there are longstanding issues regarding the coverage of the Seacare scheme; however, these issues concern the application of the Navigation Act 1912 as it relates to the coverage under the Occupational Health and Safety (Maritime Industry) Act and not to the coverage matter dealt with by the Federal Court. The bill does not seek to address all issues with the coverage of the Seacare scheme. It only seeks to address issues raised by the Aucote decision.

It is important to consider the impact on employers and operators. Approximately 12,000 seafarers who were previously understood to have been covered by state workers' compensation and work health and safety laws are, in light of the Aucote decision, covered by the Seacare scheme. Under the Seafarers Act, employers are required to maintain an insurance policy to cover their liabilities under the act. Failure to comply with this obligation is a criminal offence of strict liability. Employers of seafarers on interstate voyages would have been acting in good faith on the basis that they were only covered by state workers' compensation laws and were fulfilling obligations under those laws.

As a consequence, they would have been—and most likely still are—maintaining insurance policies, whether private or from a relevant state-government authority under state schemes. In addition to expenses incurred in relation to moving between workers' compensation schemes, employers will also incur regulatory costs adjusting to rights and responsibilities under the OHS (MI) Act. We have expanded the coverage of the Seacare scheme's impact on the regulation of safety. Comcare and the AMSA are not funded or resourced to immediately take on the role of administering a substantially larger Seacare scheme—from approximately 4½ thousand seafarers to potentially 20,000. The resources simply are not there.
The government supports the bill—once amendments are circulated. It is important to note, for historical purposes, the bill restores the coverage of the Seacare scheme to how it is understood to have been prior to the Aucote decision. Having conducted an inquiry on the papers and having brought that before the chamber, I congratulate the unions, employers, employees and the opposition for coming to a suitable outcome that will ensure the Commonwealth is not overly exposed in this area. I commend the bill.

Senator RICE (Victoria) (11:26): I rise to speak on the Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill 2015. This bill concerns the compensation scheme for seafarers and the maritime sector, Seacare. It arises because of a full-court decision of the Federal Court. It said that someone was eligible for this scheme, upholding a decision of the Administrative Appeals Tribunal when, according to the government, players in the industry had assumed that such a person would not be eligible. In other words, the full-court decision said there are people covered by this scheme who, up until now, did not think they had been covered by it.

There are two things you can do if you are a government caught on the hop by a full Federal Court decision. One would be the sensible one, to say to everyone in the industry: 'No one unexpected this, so let's all sit down around the table and sort it out.' You could take the time and sort out what it would mean, for the various standards of compensation and care around the country, if the ruling were upheld. Doing it in this way and getting it right is critical, because compensation and care are not just theoretical concepts. It is people's lives we are legislating for. The compensation and care that people get are likely to determine their quality of life for the rest of their lives.

The alternative to spending the time sitting down and working it out sensibly, with all the stakeholders involved, is to do things on the hop so that people are scrambling to determine what the impacts of legislation are. When this bill was introduced in the other place we were highly critical of the process being followed to introduce it, because this is exactly what the government did. The government said: 'Here's a bill we want you to deal with—very quickly—that's going to introduce a uniform set of national standards; then attempt to get it through the parliament as quickly as possible without talking to the stakeholders.' Not surprisingly, the stakeholders were a bit concerned about this. We were concerned about it. The Labor Party was concerned about it.

It seems to be very much at the last minute that the government has come to its senses. It has sat down and had that round table, talking to all the stakeholders. They have agreed to a set of amendments to this legislation that properly address the issues, particularly the serious concerns that were raised in the Senate inquiry into this bill. At the last minute, we now do have some legislation that is going to properly address the issues that were raised and the quandary that we were put in with the result of that full court decision. I am pleased to say that the Greens are going to be able to support this legislation, subject to the passing of those amendments.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:30): I thank honourable senators for their contributions to this debate. This bill protects the viability of the Commonwealth's Seacare scheme by restoring certainty about the historical coverage of the scheme for all participants, including seafarers and their representatives, employers, insurers
and regulators. Successive governments, both at Commonwealth, state and territory level, irrespective of political colour, maritime regulators, employers and seafarers have operated on the basis that the Seacare scheme generally applies to ships and units engaged in interstate and international trade or commerce, while state and territory workers compensation and work health and safety laws apply to employees on ships engaged in intrastate voyages.

This jurisdictional boundary was established by the Seamen's Compensation Act 1911 and has been broadly understood to apply since, including from the commencement of the Seacare scheme in 1992. The Federal Court's decision in Samson Maritime Pty Ltd and Aucote puts this understanding in doubt from the commencement of the Seacare scheme in 1992. It represents a profound shift in workers compensation and work health and safety regulation of the Australian maritime industry. Before the Aucote decision, the Seacare scheme was understood to apply to around 330 ships. Following the decision, the Seacare scheme could cover as many as 11,000 ships. Whereas the Commonwealth regulated workers compensation and work health and safety for a small proportion of the maritime industry before the Aucote decision, the decision shifts responsibility for regulating the vast majority of the industry to the Commonwealth. The Aucote decision also puts in doubt the validity of workers compensation claims made by seafarers and work health and safety enforcement actions taken against employers under state legislation. The bill seeks to restore certainty regarding past actions taken under the Seafarers' Safety, Rehabilitation and Compensation Act and Occupational Health and Safety (Maritime Industry) Act. It does not change what was believed to be the workers compensation entitlements and work health and safety protection of seafarers.

The bill does not interfere with the ability for seafarers to make a workers compensation claim or to receive workers compensation entitlements. The bill expressly provides that it does not disturb claims made before it was introduced or potential claims from people who gave notice of injury to make a compensation claim under the seafarers act before the bill was introduced but had not made a claim by that time. With the passage of this bill, maritime industry regulators, employers and seafarers will have greater certainty that past actions undertaken in good faith, based on the prevailing understanding of Commonwealth, state and territory regulation of workers compensation and work health and safety regulation, are valid.

The bill, as amended, is supported by Seacare scheme participants, including maritime industry employer associations and unions. I would like to thank all those participants for their willingness to work with the government to reach agreement on this bill, enabling it to be passed expeditiously. Finally, while I am confident that this bill will fully achieve its aims without any unintended consequences, I will be writing to the Seacare Authority, which is responsible for the oversight of the Seacare scheme, to ask that it monitor the impact of this bill and inform me of any unintended consequences so that the government can take action to address them. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.
In Committee

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:35): I table a supplementary explanatory memorandum relating to the government amendments to be moved to this bill and seek leave to move government amendments (1) to (7) on sheet GT144 together.

Leave granted.

Senator ABETZ: I thank the Senate. I move:

(1) Clause 2, page 2 (after table item 3), insert:

3A Schedule 1A
The day after this Act receives the Royal Assent.

(2) Schedule 1, heading, page 3 (line 1), omit "Constitutional coverage", substitute "Initial constitutional coverage".

(3) Schedule 1, item 2, page 3 (lines 13 and 14), to be opposed.

(4) Schedule 1, item 5, page 4 (line 20), omit "subitem (2)", substitute "subitems (2) and (3)".

(5) Schedule 1, item 5, page 4 (after line 29), at the end of the item, add:

The amendments made by this Part do not apply in relation to an injury, or in relation to loss or damage, if:

(a) notice of the injury, or of the accident that resulted in the loss or damage, was given under section 62 of that Act before the day the Bill that became this Act was introduced into the House of Representatives; and

(b) the notice was intended to be a notice for the purposes of that section; and

(c) no claim or application for State compensation (within the meaning of section 139 of that Act) has been made, or purportedly made, in relation to the injury, loss or damage.

(6) Schedule 1, item 7, page 6 (lines 4 and 5), to be opposed.

(7) Page 6 (after line 11), after Schedule 1, insert:

Schedule 1A—Constitutional coverage from the day after this Act receives the Royal Assent

Part 1—Seafarers rehabilitation and compensation

Seafarers Rehabilitation and Compensation Act 1992

1 At the end of section 19

Add:

(2) This Act also has the effect it would have if:

(a) a reference to an employer were limited to a reference to a trading corporation formed within the limits of the Commonwealth; and

(b) a reference to an employee were limited to a reference to an employee employed by a trading corporation formed within the limits of the Commonwealth.

(3) This Act also has the effect it would have if:

(a) a reference to an employer were limited to a reference to a financial corporation formed within the limits of the Commonwealth; and

(b) a reference to an employee were limited to a reference to an employee employed by a financial corporation formed within the limits of the Commonwealth.
(4) This Act also has the effect it would have if:
   (a) a reference to an employer were limited to a reference to a foreign corporation; and
   (b) a reference to an employee were limited to a reference to an employee employed by a foreign corporation.

(5) Subsection (3) does not have the effect of applying this Act with respect to:
   (a) State banking that does not extend beyond the limits of the State concerned; or
   (b) State insurance that does not so extend.

2 Section 19A

   Repeal the section.

3 Application of amendments

   The amendments of the Seafarers Rehabilitation and Compensation Act 1992 made by this Part apply in relation to any injury, loss or damage suffered by an employee on or after the commencement of this item.

   Part 2—Occupational health and safety

   Occupational Health and Safety (Maritime Industry) Act 1993

   4 At the end of section 6

   Add:

   (5) Without prejudice to its effect apart from this subsection, this Act also has effect as provided by subsections (6), (7) and (8).

   (6) This Act has, by force of this subsection, the effect it would have if:

   (a) a reference to an operator were limited to a reference to a trading corporation formed within the limits of the Commonwealth; and
   (b) a reference to an employee were limited to a reference to an employee of a trading corporation formed within the limits of the Commonwealth; and
   (c) a reference to a contractor were limited to a reference to a contractor working for a trading corporation formed within the limits of the Commonwealth; and
   (d) a reference to a manufacturer were limited to a reference to a manufacturer that is a trading corporation formed within the limits of the Commonwealth; and
   (e) a reference to a supplier were limited to a reference to a supplier that is a trading corporation formed within the limits of the Commonwealth; and
   (f) a reference to a person in sections 22, 23 and 24 were limited to a reference to a person working for a trading corporation formed within the limits of the Commonwealth.

   (7) This Act has, by force of this subsection, the effect it would have if:

   (a) a reference to an operator were limited to a reference to a financial corporation formed within the limits of the Commonwealth; and
   (b) a reference to an employee were limited to a reference to an employee of a financial corporation formed within the limits of the Commonwealth; and
   (c) a reference to a contractor were limited to a reference to a contractor working for a financial corporation formed within the limits of the Commonwealth; and
   (d) a reference to a person in sections 22, 23 and 24 were limited to a reference to a person working for a financial corporation formed within the limits of the Commonwealth.

   (8) This Act has, by force of this subsection, the effect it would have if:
(a) a reference to an operator were limited to a reference to a foreign corporation; and
(b) a reference to an employee were limited to a reference to an employee of a foreign corporation; and
(c) a reference to a contractor were limited to a reference to a contractor working for a foreign corporation; and
(d) a reference to a manufacturer were limited to a reference to a manufacturer that is a foreign corporation; and
(e) a reference to a supplier were limited to a reference to a supplier that is a foreign corporation; and
(f) a reference to a person in sections 22, 23 and 24 were limited to a reference to a person working for a foreign corporation.

(9) This Act does not apply with respect to:
(a) State banking that does not extend beyond the limits of the State concerned; or
(b) State insurance that does not so extend.

5 Application of amendments

The amendments made by this Part apply in relation to anything done on or after the commencement of this item.

The amendments that are being sought by the government are designed to ensure that we get this legislation absolutely right. There was some comment by the Greens senator in her contribution to the second reading debate about how quickly we had brought in the legislation. We did think we were on the right track with that and would get some support, but there were hiccups and, as a result, matters were delayed until now. We have been able to sort out those hiccups through a variety of mechanisms which now allow, as we believe it, for business to continue as normal. It would be fair to say that the coverage from 330 ships to 11,000 was a fairly dramatic increase in anybody's language, especially when nobody genuinely expected that to be the case. The scheme had been operating until some enterprising individual had a look and thought the law might actually say something different to that which had been understood. Right, wrong or indifferent, the Federal Court made its determination, and here we are today trying to deal with the legislation to make sure that it says what was intended.

Given all that, the government has moved this raft of amendments. I thank the Senate for giving leave for me to move them all together—albeit I would alert honourable senators to the fact that there will need to be two separate questions—first, to support some of our amendments and, then, to remove aspects. I am sure the chair will most adequately handle that; we can rely on the good Senator Marshall for guidance.

In moving the government's raft of amendments, I can simply say that in response to concerns among some industry participants the bill is being amended to limit the application of the bill to the past coverage of the scheme. The amendments will provide that the coverage provisions are amended—they will date back to the commencement of the scheme and have effect until the day the bill receives royal assent. From the day after the bill receives royal assent, the repeal of subsections 19(2) to 19(5) inclusive of the Seafarers Rehabilitation and Compensation Act is reversed, and those subsections are re-enacted with effect from the day after the bill receives royal assent. Similarly, the repeal of subsections 6(5) to 6(9) of the
Occupational Health and Safety (Maritime Industry) Act is reversed, and those subsections are re-enacted with effect from the day after the bill receives royal assent.

The bill contains amendments so that a ship must be directly and substantially engaged in interstate or international trade or commerce to be covered. After further consultations with scheme participants, the government opposes these amendments to coverage. The bill will also be amended to ensure that it does not affect people who had provided notice of injury but had not yet made a claim before the bill was first introduced into the House of Representatives, so long as the notice was provided with the intention to make a claim for compensation under the seafarers act and the person has not made a claim for compensation under state legislation for the same injury.

The bill, as amended, still achieves the policy objective of providing certainty regarding past actions taken under the Seacare scheme. It will also assist with providing certainty over past actions taken under relevant state and territory legislation. The long-term future coverage of the Seacare scheme will be the subject of consultations with industry participants and will be comprehensively addressed in a bill for broader reform of the Seacare scheme to be introduced hopefully later this year. I have indicated that I will be writing to the Seacare Authority to invite them to monitor the impact of this bill and advise of any unintended consequences.

With these amendments, I am confident there is a unanimity of view amongst all of the stakeholders that have an interest in this particular bill. I commend the amendments to the Senate.

Senator CAMERON (New South Wales) (11:41): Minister, you indicated in your contribution that Seacare will monitor the scheme, and you have argued that this will restore certainty for past actions. Is it your view that the consultations that you have outlined will deal with prospective claims?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:41): The bill will not be dealing with prospective claims.

Senator CAMERON (New South Wales) (11:42): Thanks for that. So the bill, in reality, is a stop-gap measure to deal with the Federal Court decision?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:42): The Federal Court decision has left a situation where potentially a lot of payments that had previously been made under the equivalent state workers compensation legislation could have been questioned. Also, action taken against employers under the state legislation could have been questioned as potentially being without jurisdiction. So the purpose of this particular legislation is to leave the law as it was believed to be by everybody. As indicated, I will ask for the authority to keep monitoring the situation to ensure that we do not have any unintended consequences for workers, employers or any other stakeholder.

Senator CAMERON (New South Wales) (11:43): As I indicated in my speech on the second reading, the opposition are inclined to support these amendments. However, we are really concerned to ensure that the longer term issues associated with this Federal Court
decision are dealt with. You have indicated that hopefully later this year another bill may come to the Senate. Is that bill based on the Seacare monitoring of the scheme?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:44): The bill we are hoping to introduce will be a comprehensive bill which will undertake a full review of the legislative scheme. Part of my uncertainty, I suppose, as to an exact timetable is because extensive consultations will continue to take place to ensure that there is full ventilation of all the views and issues before we bring a piece of legislation into this place.

Senator CAMERON (New South Wales) (11:44): Can you advise the Senate of the consultation process you intend to undertake? I accept that you have said you cannot give dates, but given that this leaves some uncertainty arising from the Federal Court decision, what are the details of the consultation?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:45): In relation to other workplace relations type of legislation, there is the COIL process—the Committee on Industrial Legislation—where you have all the stakeholders. My approach in relation to workplace relations matters has, I believe, been a consultative one, and nothing will change in relation to that. As a result, employer and employee organisations et cetera will be fully consulted. We are hopeful that within the next few weeks there will be a round table with all the stakeholders to discuss the issues generally that they are concerned about. And then when we have a draft bill we will be circulating that to the stakeholders as well for them to undertake their assessment—a bit like the COIL process—so that any unintended consequences can be advised to us. And, if I might say, the COIL process on industrial legislation has been very helpful where technical issues—unintended consequences—have been highlighted by both employer and employee organisations, which is very helpful for government and also very helpful for good robust legislation. In an area such as this, I believe that that sort of certainty will be of great benefit, and that is why the government is anxious to ensure that full consultation takes place in, if you like, a preliminary or scoping manner. And then further consultation will be had in relation to the draft legislation so that by the time the legislation hits the parliament there will be at least a good understanding of the consequences and the issues that the bill seeks to address.

Senator CAMERON (New South Wales) (11:47): Thanks, Minister. I am just trying—and I am not doing this on a partisan basis—to get an understanding of the process that led to where we are now with the legislation. You indicate that the COIL process has worked effectively. Was this issue dealt with through COIL before the legislation was drafted and came to the Senate?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:48): This particular bill and the bill I have been talking about technically does not go through COIL, but it will be a similar mechanism. I can indicate that in relation to this bill and the court case that precipitated the bill there was a consultation with, for example, a major stakeholder here, the Maritime Union of Australia. We exchanged letters, and phone calls were had with my office and, I also believe with the department. Without divulging anything, I will say that all the discussions were in absolute good faith. At one stage we did think there may have been
agreement, but we fully understood that the agreement we thought we may have had did not come about, and I do not seek to blame anybody in relation to that or assert that anybody engaged without good faith. As a result, here we are now with this bill, with the government’s amendments, taking into account some of the hesitation that came up a bit later in the discussions. But you can be assured, Senator Cameron—and indeed the Senate can be assured—that there was quite extensive consultation, albeit in an informal manner by way of conversations and email exchanges, and indeed formal letters.

Senator CAMERON (New South Wales) (11:49): I am not for one minute arguing that anything has been done in anything other than good faith. I am just trying to establish some of the areas the opposition has to consider with these amendments before us. You indicated that Seacare will monitor. Is that a formal monitoring process? If so, who within Seacare will monitor, and what resources will they have to monitor this amended bill if it passes today?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:50): The Seacare Authority is a formal body, as I understand it, established by legislation. I trust that they would not need any extra resources to monitor the legislation and its outworkings, because that is part and parcel of their normal task. To report to me at an early stage of any unintended consequences is something I would alert them to. I—and, I would imagine, every legislator in this place—would wish to know if there were any signs on the horizon that might indicate that there are unintended consequences. And of course if that is the case then we may need to come back here for the appropriate changes to be made. I do not think it will necessarily be resource intensive for the authority, but it is something that I will be inviting them to keep a close eye on and will inform my office to ensure that we can deal with any further unintended consequences, of which of course we hope there will be none. But having been in this place for as long as I have, I have seen very well-intentioned legislation have unforeseen consequences. And of course the very fact that we are here is an example of unforeseen consequences.

That legislation was passed in 1992, and, irrespective of whether you were in the Maritime Union of Australia or the Liberal Party of Australia, everybody believed that the legislation acted in a certain way—and there was unanimity about that. Yet we had a situation of the Federal Court of Australia coming to a different determination, as the courts should do. They have to interpret the law as it is written, not necessarily how it may have been intended by legislators. That is what we are confronted with, so unintended consequences unfortunately can arise, albeit in this case—and I will try and do my maths—about 20-plus years later. But you can be assured that, in asking the authority to monitor the situation, I do not think we are overly burdening them.

Senator CAMERON (New South Wales) (11:53): Minister, thank you for that response. I indicate that the opposition have had limited time to have a look at these amendments—I myself have not seen the amended explanatory memorandum—so we are taking you on a bit of good faith on this issue. That is why I want to try and work through some of these issues with you. When the Seacare Authority monitors, do they then advise you? You indicated that you are going to write to them, and they will advise you. Will there be concurrent advice to the opposition of any unintended consequences?
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:54): First of all, I can assure you, Senator Cameron. I am from the government. You can trust me.

Senator Cameron: I thought that might get the reaction that it did. More seriously, in fairness, it would be a response by the Seacare Authority to me as minister, and, with respect, not to the opposition. But this space has been, as I understand it, relatively uncontroversial and bipartisan, and I do not think there would be any big political gains to be achieved one way or the other. There has been a degree of unity, which I welcome with this legislation, but in fairness I think the authority's responsibility would be to report to me as opposed to the opposition. Be assured, if there are issues that are brought to my attention, it makes good sense, if I might say as we did with this legislation, to engage in discussion and correspond with the opposition, the Greens and the crossbenchers to see if we can resolve these matters. Of course, I hope they will never arise, but, if certain matters were to arise, we would resolve them quickly.

Senator CAMERON (New South Wales) (11:55): I would still like a clear commitment that, if you do receive advice of unintended consequences, you would expedite the communications with the opposition and the crossbenchers on this issue.

Senator ABETZ: I suppose I could say yes to that, and then we can argue about what the term 'expedite' means.

Senator Cameron: I can give you the definition.

Senator ABETZ: I am sure Senator Cameron would give me a definition. Can I indicate that in this particular area I think it does make good sense for the government and the opposition to cooperate as much as possible. Without tying myself to any commitment, I would invite Senator Cameron to accept the goodwill of the government in relation to this matter and take us at face value here—as he can always do, of course, at all times, but especially on this occasion. That has got another smile! It is a pity Hansard does not record those smiles. Be assured that we will cooperate with the opposition and advise them as expeditiously as possible.

Senator CAMERON (New South Wales) (11:57): The expediting of consultation and communication with the opposition and the crossbenchers, as you indicated earlier, is one thing. Are you aware of what role the Seacare Authority would play in this monitoring with the other parties—the Maritime Union and the employers in the industry? What is the process there?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:57): I was just confirming that the union and the employers have representatives on the Seacare Authority, so in their representative roles they should, chances are, be aware before I am as to any unintended consequences.

Senator CAMERON (New South Wales) (11:58): I would like to move to the review process. Have you come to any view on how the review process would be undertaken?
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:58): I confess I have not. I have left it to the professional capacity of the department to undertake the initial round table and review and to see what issues the various participants want to float, and then we can move further from there. But, at this stage, I personally have not involved myself in that process.

Senator CAMERON (New South Wales) (11:58): You are waiting for advice from the department in terms of how long the review might need to take. Have you had any advice on what the review terms of reference would cover?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (11:59): Senator Cameron may be aware of the Stewart-Crompton review that my friend Senator McKenzie referred to in her second reading speech. That was a review, in fact, commissioned by the former minister, Mr Shorten, whilst he was the Minister for Workplace Relations, and it is that review that is basically the subject of and its recommendations that are the subject of the further discussions that will take place. So that is, if you like, not officially the terms of reference, but it is the issues arising out of that report commissioned by Mr Shorten that will be discussed.

Senator CAMERON (New South Wales) (12:00): So it is not really a review; it is an analysis of the Stewart-Crompton review. Is that what it is?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:00): I think that is a fair analysis. I do not want to play word games with Senator Cameron, and I do not think he does either. But I think that is a fair assessment. However, we will be open to other things, so I do not want people to be of the view that that is the only topic that is able to be discussed. But the Stewart-Crompton review is the base of the discussions that will take place.

Senator CAMERON (New South Wales) (12:01): You say that other issues can be injected into this. Do you have a firm view on any issue that should be injected in from the government's point of view?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:01): I was just confirming that I had not overegged it when I said other issues could be raised. They can be raised. The department has not put any limitations in relation to the discussions that will take place, and from the government point of view we have not placed anything on the table other than the review undertaken by Mr Stewart-Crompton, which, of course, was commissioned by my predecessor, Mr Shorten.

Senator CAMERON (New South Wales) (12:02): You indicated earlier that the COIL process was the process for the engagement. Do you see the COIL process being used for this analysis of the Stewart-Crompton review?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:02): If I said it was the COIL process, what I meant to say was that a COIL-like process will be adopted. COIL is an established mechanism for workplace relations laws. This particular bill does not
necessarily fit into that category. But we, as a government, and I think successive
governments, have found the COIL process informative and helpful, and so a similar process,
albeit on an informal basis, will be taking place to ensure that the formulation of the draft
legislation and then the draft legislation is ventilated and workshopped by the various
stakeholders to ensure that they have input and they, of course, have access to good legal
advice. Also, people with good practical experience can then ask questions as to how the draft
legislation, which might be very well intentioned, might actually work out in practice with
real-life experience. With no disrespect to the drafters of the legislation, having people read it
who have real-life experience can sometimes shed light onto the well-intentioned drafting to
ensure that it can, in fact, be of practical application as well.

Senator CAMERON (New South Wales) (12:03): I must indicate that the process still
seems to me to be a bit fuzzy. I am not sure: it was a review; it is now an analysis of the
Stewart-Crompton review. The Stewart-Crompton review would have had formal submissions
and a process to deal with the issues properly. If we are now going to talk about a significant
change to the legislation that is in place and probably another substantial bill, would it not be
better if there were some clarity on how this review would work and how people can make
submissions to the review?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting
the Prime Minister for the Public Service and Minister for Employment) (12:04): I think it is
possibly a fair analysis to say at this stage it is a bit fuzzy as to how it will all progress,
because the first workshop will be designed to nail some of those things down amongst the
participants as to the way forward. I and the government have not, in any way, been
prescriptive as to how this should be conducted. We are relying on the professionalism of the
department, who, if I might say, as shown by the process in the development of this bill, have
a good relationship with the stakeholders and work cooperatively with them to achieve the
outcome that, hopefully, will pass sometime today. So I would say to the senator that I think
we can have faith in the professional competence of the department to work with the
stakeholders. There will be a first workshop very shortly where some of the details and
parameters will undoubtedly be sorted out by consensus between the parties.

Senator CAMERON (New South Wales) (12:05): I am not asking what advice the
department has given you, but has the department advised you about any issues that need to
be dealt with in relation to this review?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting
the Prime Minister for the Public Service and Minister for Employment) (12:06): I have just
been reminded that the only issue has been of future coverage, which we have already
touched upon in relation to this bill.

Senator CAMERON (New South Wales) (12:06): A range of amendments are before the
chamber. As I have indicated, we have not had a lot of time to analyse the amendments. As I
understand it, you want to put them forward in two batches. Is that correct? Could you just
explain how you want to—

The CHAIRMAN: The amendments before the chair at present are government
amendments (1) to (7), which have been moved by leave together. But it necessitates two
separate questions to deliver those seven amendments, so I will be putting those questions
when we get to that point. But all of the government amendments are before the chair at the moment.

Senator CAMERON: As I indicated earlier, the opposition is mindful of the issues that have been raised, and the unintended consequences that have arisen as a result of the Federal Court decision. I am sure the government, like the opposition, is keen to have some certainty in terms of how the act will work. We support that. We are inclined to support the amendments that are before the chair. We just would like this issue not to drag on indefinitely, because we are very concerned that the prospective claims are still uncertain, and the prospective claims are the ones that will be important to people in the future. This industry is quite a dangerous one. It is one that has had more than its fair share of deaths, so we are inclined to be supportive. But can you give us today any idea as to a time frame for the analysis of the review. Do you have any idea of the time frames within which you want to deal with it?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:09): I would hate to commit myself to something that is not necessarily deliverable, but, to confirm, the workshop will be held within the next few weeks. As we have indicated, we do hope to have legislation into this place by the end of the year. I fully agree with and endorse Senator Cameron's comments about the importance of not having uncertainty in any area. I agree that in this area it is just as important, if not more important, than in some other areas of our legislative endeavours. So you can be assured it is front of mind and we have people in the department working efficiently to try to get an outcome as quickly as possible. But, given the vagaries of this great place, and the legislative timetable in this place is not necessarily up to the government to determine—sometimes bills take longer and sometimes less time is taken—I simply indicate we will use our best endeavours to ensure that this legislation still can be dealt with this calendar year.

Senator CAMERON (New South Wales) (12:11): Thank you for that, Minister. Given the explanations you have given on the monitoring and the review, we would be minded to support the amendments that are before the chamber today. I thank you for your responses.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:11): Can I just quickly respond to thank the opposition, the Greens and other senators, and indeed all stakeholders, for their co-operation in this, which was a legislative exercise that we had not anticipated would be required, but our friends in the Federal Court made a determination that did need a response, in our view. The fact that we have been able to come to a landing, as we have, with unanimity breaking out around the chamber, is once again an excellent reflection on the way that this chamber in fact can and does do business. As a result, you can be assured it will not be reported in the media that we were all in heated agreement in this place, because all they like to do in the media is report the conflicts when sometimes we let ourselves down. But this is one example where the parliament has done itself and the people a great service by being able to come to a resolution. I thank all honourable senators for their contribution and assistance in allowing us to resolve this matter.
The CHAIRMAN: The amendments before the chair are government amendments (1) to (7). That will require two questions. The first question is that amendments (1), (2), (4), (5) and (7) be agreed to.
Question agreed to.
The CHAIRMAN: The question now is that items 2 and 7 in schedule 1 stand as printed.
Question negatived.
Bill, as amended, agreed to.
Bill reported with amendments; report adopted.

Third Reading
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:14): I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015
First Reading
Bill received from the House of Representatives.
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:15): 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 ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (12:15): I table a revised explanatory memorandum relating to the bill and 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 Comcare scheme provides all scheme employers with an integrated safety, rehabilitation and compensation system, no matter what Australian state or territory an employer operates in or where its employees are located.
Comcare works in partnership with employers and their employees to prevent workplace injuries and appropriately uses regulatory sanctions if there has been any demonstrable failure of the employer’s duty of care. Over the five years to 30 June 2013, the Comcare scheme experienced a 23 per cent reduction in the incidence of accepted claims.
The scheme empowers premium payers to work with their employees to maintain an injured employee at work to achieve an early, safe and long lasting return to work. Injured employees covered
by the Comcare scheme benefit from a high standard of income support as well as medical and other assistance where necessary.

The Comcare workers' compensation scheme's outstanding claims liabilities exceed the funds available to meet these liabilities. Since 2013-14, Comcare has been progressively restoring the funding position of the scheme. The bill will support current measures that Comcare has put in place to restore funds to adequate levels.

The purpose of this bill is to provide a framework to manage the exit of Commonwealth authorities and to ensure that Comcare's liabilities under the scheme are fully funded by premiums. The proposed framework also enables Comcare to determine and collect ongoing regulatory contributions from exited employers or successor bodies.

This bill ensures that employers exiting the scheme cover the costs of the claims liability for their employees and former employees who have work-related injuries or illnesses. Where this liability exceeds the amount of scheme available funds that are attributable to the premium payer, Comcare will be able to recover the shortfall from the employer up to a period of seven years after the employer has exited the scheme.

Comcare applies regulatory contribution charges on all entities in the scheme to cover the costs of regulating the entities' obligations under the SRC Act. When an employer exits the Comcare scheme, some regulatory costs may remain and are ongoing. The Bill will enable Comcare to determine and collect these ongoing regulatory contributions from premium payers exiting the scheme.

Through these amendments the Bill will ensure that employers remaining in the scheme are not penalised with higher costs to meet the liabilities attributed to exited employers and that the scheme can offer employers sustainable premium rates.

The SRC Act provides for the rehabilitation of injured employees by providing for rehabilitation programmes, alteration of residences or workplaces, and a duty to provide suitable employment.

There are currently no provisions in the SRC Act requiring exiting premium payers to meet rehabilitation responsibilities to their injured employees.

While the majority of former Commonwealth employers which have ceased to exist have been absorbed into other agencies, there have been cases of injured former employees where there is lack of clarity about the rehabilitation authority, thereby resulting in minimal rehabilitation activities.

The bill provides that premium payers that exit the Comcare scheme would continue to perform the role of rehabilitation authority for employees whose work-related injury or illness occurred while the premium payer was in the Comcare scheme. Having the current employer as the rehabilitation authority leads to better return to work outcomes for injured workers because employers are well placed to rehabilitate them to work readiness and providing suitable work.

This bill includes minor amendments to the appointment process and composition of the Safety, Rehabilitation and Compensation Commission.

Conclusion

In summary, this bill will ensure that unfunded liabilities and ongoing regulatory contribution charges of a premium payer exiting the Comcare scheme are met by that premium payer; it will ensure that Comcare is able to set sustainable premiums, and that injured employees of exiting premium-payer entities will continue to receive appropriate rehabilitation treatment facilitating their early return to work.

I commend the bill to the Senate.

Senator CAMERON (New South Wales) (12:15): I rise to speak on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015. The purpose of the Safety, Rehabilitation and Compensation Legislation Amendment (Exit...
Arrangements) Bill 2015 is to amend the Safety, Rehabilitation and Compensation Act 1988. That bill provides for financial and other arrangements for a Commonwealth authority to exit the Comcare scheme, clarifies that premiums should be calculated so that current and prospective liabilities are fully funded, changes the appointment process and membership of the Safety, Rehabilitation and Compensation Commission and makes consequential and technical amendments.

The Safety, Rehabilitation and Compensation Act 1988 provides for the rehabilitation and compensation of injured employees of the Commonwealth and its agencies and statutory authorities, and of eligible corporations. To do this it establishes the Safety, Rehabilitation and Compensation Commission. This commission makes policy and oversees the operation of Comcare. It also establishes Comcare, which operates the scheme. Most of the Commonwealth agencies and statutory authorities pay premiums to Comcare and are referred to as 'premium payers', but some Commonwealth authorities have been granted self-insurance licences. Eligible corporations which join the scheme are also granted self-insurance licences.

On 25 February this year the ACT government announced its intention to leave Comcare. It was also announced that the territory government would conduct a six-week consultation period before taking a decision about designing a new scheme. That consultation only ended on Friday, 8 May. Of course, the design of any new scheme will take a significant period of time, and the ACT government has made a commitment to work with stakeholders. So there is no need to rush this legislation, as the Abbott government seems to be doing.

Labor's first priority is to ensure that no workers will be worse off under the government's proposed bill. Unfortunately, what we have seen from this government ever since it has been in power is a shift of responsibility back to the states, a shift of responsibility back to local governments and a shift of responsibility back to individual citizens of this country. This is not about simply shifting responsibilities; this is about cost-shifting—cost-shifting from the Commonwealth government back to the states, back to local governments and back to individuals. This is all in the ideological approach from this Commonwealth government that the individuals should look after themselves.

When it comes to workers compensation, when it comes to the rights of individuals to be properly compensated for an injury at work, Labor is uncompromising. Workers need to be looked after and workers need to have benefits to ensure that they can look after their families or their individual needs if and when a workplace accident takes place. We are not sure that the same concern for workers rights in this country is underpinning this government's approach—and this is workers rights that do not just go to industrial rights but also to their rights to be properly compensated if they are injured at work. As a former union official I have seen too many people's lives destroyed because of injuries, accidents or chemical exposure at work. We are very concerned that, if we have a system at the Commonwealth level, that system is a sustainable system, it is a system that looks after workers rights and it is a system that the Commonwealth employees and other corporations who are a party to it can understand will provide decent compensation for workers if and when they are injured at work.

We have to be certain that this bill will not provide an incentive for others to make workers worse off. We do not want this bill—this legislation, if it is passed—to be used as a cost-cutting exercise by some of the most profitable and biggest corporations in this country. That
is an unacceptable proposition for us. The opposition wants to ensure that workers who are covered by the Comcare scheme are covered appropriately, and we want to ensure that if we then allow people to move out of the scheme they are not moving to inferior schemes simply based on cost-cutting or simply based on reducing workers rights to compensable claims. That is why we took the responsible decision to refer this bill to a Senate committee for a thorough investigation. That Senate committee will consider the bill.

The opposition is concerned that the government has not undertaken a proper consultation with all stakeholders in constructing this bill. I would have thought that the coalition would have learnt a lesson, over the last 18 months, about ensuring proper consultation on legislation that comes to this parliament. The fiasco of the last budget demonstrates that not consulting properly with the community and not consulting properly with people who have an interest in a range of issues, is a recipe for legislative failure.

And we have a government that has had more than its fair share, in such a short time, of legislative failure. The lack of consultation that we are worried about in terms of this bill has led, in other areas of the budget, to pensioners having 18 months of uncertainty in terms of how their pensions will fare in the future. They were simply advised in the first budget that they would be $80 a week worse off, over a 10-year period. Families on $65,000 a year were $6,000 a year worse off. And all this was done without proper consultation. All this was done with an arrogance from this government that beggars belief. That arrogance and lack of consultation, and the ideological focus of this government, came home to roost when they could not get their budget through this Senate.

So my message to the government is that if you are going to make changes you should make them after proper consultation, and you should not hide what you are about to do, as this government did. No-one knew this government's agenda until the first budget. The community was told that there would be no cuts to health, no cuts to education and no cuts to the ABC. And people voted on the basis of promises that were never real promises. That is why, when we are dealing with legislation by this government, we need to be absolutely certain that what they are saying and what they are proposing is what they really mean. They have, now, a reputation in the broader community, of not being trustworthy and not being in a position to—

Senator O'Sullivan: Fancy being lectured by you on that! Seriously!

Senator CAMERON: Here comes Senator O'Sullivan! We are talking about processes of government. What would an ex Bjelke-Petersen Queensland copper know about processes of government? There were abuses of government processes for a lot of your working life.

Senator O'Sullivan: I rise on a point of order. By inference, I am going to take that as a personal reflection on me. I ask the senator to withdraw it.

The DEPUTY PRESIDENT: I am sure Senator Cameron has heard you. I will only ask him to withdraw it if he has said unparliamentary words or made unparliamentary reflections. I do not think he has, but it is a matter for Senator Cameron. If he wants to withdraw it he has heard your request.

Senator CAMERON: I do not intend to withdraw. I am making some general comments about people's backgrounds. It was a general comment about the police force under the Bjelke-Petersen government. We know what they were like. We know what happened then.
So, if people are a bit offended by that they should just go back and read history, and look at what happened in Queensland.

I am always happy for interjections from Senator O'Sullivan on any issue, because the Nationals should really stop being the doormat of the Liberal Party. We have seen in this budget—we are really talking here about legislation on safety—the Nationals again making false claims about being worried about what is going to happen. The reality is that the doormats called the Nationals will just roll over and concede, and do what they are told by the Liberal Party, as they always do.

On workers compensation and on people's rights to get decently compensated if they are hurt at work, we do not trust this government. Labor's mistrust of this government is exactly the same as the mistrust that the community has—that the whole population has—of a government that has lied to the community on more than one occasion. They have lied to the community on many occasions, so we want to be sure that when we are dealing with workers compensation, that any changes proposed in this bill that directly or indirectly risk workplace health and safety of Australian workers, are dealt with.

My big problem with this government—amongst many problems—is that they have this rhetoric about red tape. As a union official for many years, I understand the importance of having a proper legislative process to ensure that workers can go to work, work safely, and go home to their families that night. According to this government, this is red tape. There should not be red tape to make employers operate in a safe manner. Governments should just butt out and employers should be able to get on with the job, because it is a cost to the employer, it is red tape, and it is an intervention in the market.

All of the nonsense and ideology we hear from this government always leads us to be very concerned about any changes to legislation that this government proposes when it comes to health and safety, when it comes to workers compensation and when it comes to workers' rights. We know, the whole community knows, citizens of this country know, this government's form when it comes to workers' rights. We are worried that this legislation could remove the rights of workers to fair and reasonable cover when they suffer the misfortune of a work-related illness or injury.

We strongly oppose the bill. In the bill the government has included provisions, in an effort to hollow out state workers compensation schemes, to open up the Comcare scheme to private sector companies. The government has sought to do this by applying a very liberal definition of what constitutes a national employer. Yet in this bill, if it is constructed incorrectly, there may be leverage for the federal government to force entities to stay in the Comcare scheme. Why is this particularly important? It is important because there is yet another Comcare bill that has recently been introduced by the Abbott government. That bill makes cuts to lump-sum compensation payable for permanent impairment to the vast majority of injured workers and removes the already modest pain and suffering payment. A modest payment would be removed. Changes to eligibility requirements will mean injured workers are locked out of the scheme altogether, incapacity payments are reduced and sanctions are expanded against workers, including removal of medical support if a worker fails to attend a medical appointment, plus more, all of which are totally opposed by the opposition.

The Abbott government is asking the parliament to make a determination on a matter when it has, very recently, introduced a substantial bill which potentially contains crucial
information about future changes it proposes to make to the very same act. Given the introduction of the third substantive Comcare bill, Labor does not believe that the Senate committee inquiry into this bill was afforded a reasonable opportunity to thoroughly investigate the interaction of this bill with the third Comcare bill. As I referred to earlier, the ACT government has not made a determination on the make-up of any new scheme and, thus, to support this legislation before that has occurred is to put the cart before the horse.

Labor has to be sure there is nothing questionable about this bill, and the best way to do that is to take the necessary time to further consult stakeholders. Labor's first priority is to ensure that no worker will be made worse off under this bill. We need to ensure that this bill will not create perverse incentives for employers to make their employees worse off. The opposition are not convinced that the government has taken all the steps it should to consult with all the stakeholders over this bill. There is a clear need to investigate the interaction between this bill and the other Comcare bills introduced by the government, one of which will make changes to Comcare that will adversely affect workers.

For these reasons we do not support this bill. We do not trust what the government is really up to in relation to this bill. We want a further consultation process. We want to ensure that the workers who are covered by Comcare, or the workers who may move into another system, are not worse off and that their rights to fair compensation, if they are injured or suffer a very severe disease arising out of their work capacity, are looked after.

This is an important bill before the Senate. That is why we need to make sure that everything is done that can possibly be done to maximise the consultation that needs to take place. But the arrogance of this government, the arrogance that they know what is right, is driving this bill. Underpinning that arrogance is the ideology to cut costs in the Commonwealth area, to run an argument that it is red tape, to run an argument that they should simply shift the costs of a worker being hurt at work back onto the family that needs support, and that is a real problem.

Senator O'Sullivan interjecting—

The ACTING DEPUTY PRESIDENT (Senator O'Neill): Senator O'Sullivan, order!

Senator CAMERON: I just wish—as Senator O'Sullivan continues to interject in a very stupid manner, as is normally his way—that he actually does think about what this government is doing. Actually, as someone who has many people employed in many companies and with a myriad of trusts that he operates, he should think about workers now and again instead of his own back pocket, his own wallet. He should actually think about his workers and he should think about decent health and safety when it comes to workers instead of his profit. He should think about ensuring that workers can come to work and go home safely.

We do not trust this government. We certainly do not trust the doormats of the National Party to do anything to support the working people in this country or to support regional people. On that basis we oppose this bill. (Time expired)

Senator RICE (Victoria) (12:36): I rise to speak on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015. Taking this bill at face value, the measures in it may seem reasonable. According to the government summary of the bill, it amends the Safety, Rehabilitation and Compensation Act 1988 to: provide for financial and other arrangements for a Commonwealth authority to exit the Comcare scheme; clarify that premiums for current Commonwealth authorities and entities should be calculated having regard to the principle that current and prospective liabilities should be fully funded by
Comcare-retained funds and so much of the consolidated revenue fund as would be available; change the appointment process and membership of the Safety, Rehabilitation and Compensation Commission; and make consequential and technical amendments.

However, this bill cannot be considered in isolation. It needs to be considered in the context of two other bills which are currently before the parliament and with which the government is seeking to attack workers' access to workers compensation. On an initial reading of the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015, the bill is going to strip away compensation from Commonwealth workers. It seems we need to learn a lot more about this bill, but from what we know about it already the Australian Greens have some very deep concerns. The Australian Lawyers Alliance is reported to have described the proposed changes as harsh, unfair and an attack on the rights of injured workers. The ACT government, currently one of the biggest participants in Comcare, is intending to exit the scheme, affecting many workers. Concerns have been raised by unions, the Victorian government and others about how this bill is going to impact on workers, and in particular how it is going to interact with other legislation that the government has brought forward.

It is unacceptable that there are so many outstanding concerns and uncertainties, and given these concerns—and given that the Senate committee that inquired into this bill only finished its deliberations last week and was not able to deal with all these matters—it is the view of the Australian Greens that this bill should not proceed at this time. These uncertainties are unacceptable. It is not just a bit of theoretical legislation we are dealing with here—it is people's lives and it is people's wellbeing that we are legislating for; it is people's ability to have proper compensation if they suffer at work injuries which are likely to affect their wellbeing in the immediate future and often for the rest of their lives. These are serious matters. The parliament owes it to every individual that will potentially be affected by this bill to make sure that this legislation is right and is going to give people the opportunity to continue to live their lives with the care and the compensation that they require.

It is our view that the bill needs to be further examined before it proceeds to make sure that there are no unintended consequences, particularly as the legislation relates to other bills and issues. Given these factors, and given that we have a government that really does seem to have a clear intention to undermine workers compensation and to not give workers the rights that they deserve, the Australian Greens are not prepared to support this bill at this time. (Time expired)

Senator BACK (Western Australia) (12:41): When I first saw Senator Cameron get to his feet I thought, 'Gracious me, there is a time when he and I are going to be in agreement.' Indeed, I had a similar thought when Senator Rice rose to her feet. Let us be very clear on what this legislation is about—it is about protecting the rights of workers and employees in general who may be employed by the ACT government. That is what the bill is all about. Why we heard a rant from Senator Cameron for the length of time we did over issues so totally irrelevant to the matter before the chamber is beyond me. It makes me perhaps a little less wondering why the Scottish Nationalist Party did as well in Scotland as they did last Thursday, but it does cause me to question why Senator Cameron would have personally attacked Senator O'Sullivan in the way he did—what relevance does that have to the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill?
This bill is all about making sure the interests of workers covered under ACT workers compensation legislation are protected should the ACT government decide to leave the protection of Comcare. I applaud Senator Rice because in her opening comments she completely focused on that point, and that is what the coalition is focusing on. Why does this matter need to be addressed now? Simply because of the timing of it. We know that on 26 February this year the ACT government announced that it was consulting its workforce on plans to leave the Comcare scheme, and that those consultations were completed on 8 May—only a week ago. If the ACT government were to leave the scheme, where are their current and past employees to be dealt with? We know that those people need to be protected—Senator Rice eloquently said this, as did Senator Cameron when he first kicked off, before he went off on a rant. The coalition believes these people need to be protected.

The question of whether the ACT government does leave the scheme is for another time. Imagine if we were not trying to deal with this issue now—Senator Cameron would be leaping up and carrying on a treat, saying that workers are not being protected and asking what the Commonwealth government is doing to fix it. In fact that is what we are doing with this bill. We are seeking to ensure that, in the event that the ACT government does leave the scheme, there are sufficient funds in the scheme so that the Commonwealth can ensure that those employees, present and past, are actually fully protected under this legislation. Had we failed to move on this, they would be screaming from the rafters on the other side.

Debate interrupted.

STATEMENTS BY SENATORS

Maritime Union of Australia

Senator JOHNSTON (Western Australia) (12:45): I rise to draw the chamber's attention to a recent decision of the Federal Court, sitting in Western Australia, wherein the Maritime Union of Australia and the labour hire firm Offshore Marine Services were successfully prosecuted by the Fair Work Ombudsman for breaches of the Workplace Relations Act and the Fair Work Act. Each of these respondents was fined and ordered to pay compensation to a married couple, Bruce and Lynne Love, whom the court assessed as a 'salt of the earth' couple, who were in 2009 seeking employment in the maritime domain of the Western Australian oil and gas industry as ship stewards. The union and the hire firm were ordered to pay some $800,000, inclusive of some $80,000 in penalties, with the balance being compensation paid directly to the Loves. The fines and compensation were imposed by the court for the breaches of the Workplace Relations Act and the Fair Work Act as a result of the union imposed 'closed shop' in employment within the maritime domain in the oil and gas industry in Western Australia—in other words, a 'no ticket, no start' as well as a 'closed shop, jobs for the boys' regime run by the MUA in Western Australia.

This case underlines and reaffirms the importance of a strong legislative framework giving clear powers to those agencies charged with the duty of protecting against, prosecuting and preventing such illegal industrial practices. Indeed, that is precisely the sort of legislation this Senate passed on Monday of this week to protect our building and construction industry from such union thuggery. The union was fined $79,200, with the labour hire firm given a much lesser penalty of only $7,500.
The facts of the case were that the Loves had applied for work as ship stewards through Offshore Marine, the hire company, which was keen to hire them but told them they would first have to join the MUA. Accordingly, they applied to the union for membership and were refused. His Honour, Mr Justice Gilmour, found that the couple would have been 'above average employees' and free of an 'entitlement mindset'. The Loves had travelled to Perth from Melbourne and had specifically undertaken several courses to obtain the necessary qualifications to secure their jobs, all at their own expense.

The Loves were the victims of an illegal closed shop orchestrated by the Maritime Union of Australia. This unlawful practice was accommodated by Offshore Marine, which did not contest the prosecution and to some extent was also a victim of the bullying and illegitimate standover tactics of the MUA. Having been told by an employee of Offshore Marine that they would need to join the MUA, the Loves attended the union offices on several occasions, only to be refused membership. They had completed an elementary first aid certificate course, a fire prevention and firefighting course and a personal safety course, and received training in social responsibility and personal survival techniques. They had also obtained maritime passports, all at their own expense, all whilst they themselves were under considerable financial pressure.

Their experience with the union, as set out in His Honour's reasons, indicates very clearly that there was no employment in the maritime domain in Western Australia unless such employment was accompanied by union membership. Membership of the MUA is at the whim of its officials and is not a qualification or membership freely available or obtained. His Honour's reasons set out a pattern of abusive and coercive conduct on the part of the state secretary and other union officials. The judge took into account abusive phone calls to the hire firm by such union officials, clearly indicating that, if you do not employ unionists, you will have industrial strife. His Honour found that a series of memos between the hire firm and the union in the context of the abusive phone calls recorded a 'closed shop arrangement', patently in breach of both the aforementioned pieces of legislation. It is important to note in reviewing what has happened in the court that the union called no witnesses and adduced no evidence in its own defence, and the time for the lodgement of an appeal has now passed.

The MUA and its bullying and standover type tactics have been a significant blot on the industrial landscape in Western Australia for many years. This situation has rendered WA ports as amongst the most inefficient in Australia, and in cost terms they compare very unfavourably to similar port operations around the world. This is completely unacceptable for an export oriented state like Western Australia. David Byers, Chief Executive Officer of the Australian Petroleum Production and Exploration Association, has said:… the MUA controls access to the supply chain in every facet of offshore oil and gas—exploration, feasibility, construction, operations and maintenance.

Companies like Woodside, Chevron and Shell have their schedules and overall productivity completely at the mercy of the MUA. Unionised construction site costs are clearly among the highest in the world, well above comparable project costs in the North Sea and in Houston in the United States. The result is that Shell are now building an offshore floating LNG facility, not in Australia. Woodside are going the same way and have shelved James Price Point, at a cost of some 8,000 Australian jobs. James Price Point was in fact a $40 billion development. Following the shelving of this project, Woodside immediately looked to acquire an interest in
a Canadian LNG project. The blow-out in Chevron’s costs at its Gorgon development has caused a reassessment of the go-ahead for the $10 billion fourth gas train on Barrow Island.

In WA, we have potential for almost $200 billion of oil and gas projects, with billions of dollars of future exports and royalties at stake. There is a further $100 billion worth of projects currently under consideration and evaluation. All of this would be under direct threat if there were a continuation of conduct as seen in this case by the MUA. The Business Council of Australia has maintained that Australian oil and gas projects require 30 to 35 per cent more labour than comparable projects off Houston in the US, because Australian productivity is dramatically lower.

The bullying and intimidatory coercive conduct of unions, particularly in the offshore and construction industries in Western Australia, discloses the entrenchment of union thuggery in my home state of WA. Deliberate intimidation and the enforcement of a closed shop by the MUA is an example of what is at the heart of this nationally damaging blight. His Honour, in imposing some of the highest monetary penalties yet seen in the workplace-relations arena, explained that one of the contributing factors for this was the unions’ ‘significant number of prior contraventions of similar legislation’. This case sends a strong message that the imposition and enforcement of a closed shop will not be tolerated in today’s—and future—workplace environments.

I wish to record, here in the Senate of the Australian parliament, my appreciation to His Honour for the very thorough way he has adjudicated this case over more than four years and I congratulate Fair Work Australia on this very successful prosecution.

Mental Health

Senator McLUCAS (Queensland) (12:53): I have spoken in this chamber a number of times over the past year about the review of mental health services and programs that were conducted by the National Mental Health Commission. On a number of occasions the Senate has agreed to my request to order the Minister for Health to table, firstly, the two interim reports from the commission and, secondly, the final report delivered to the government—on time—on 1 December.

On each and every occasion, when the Senate has made that order for production of documents to the Minister for Health, the minister has refused to table those documents. Why did the mental health sector so desperately want to see these reports? Why did they wish to read them prior to the government responding to them? The answer is simple. The commentary and recommendations in these reports will directly affect the lives of people living with mental ill health. The direction that the commission recommends will directly affect the service providers, clinicians, peer workers and family carers who provide support to those who are unwell.

When I worked with the disability sector I learned a fundamental principle: ‘Nothing about us without us.’ This principle is equally applicable to the policy approach designed for mental health services and programs and should be adhered to. The fear from the mental health sector is that this government’s approach will not be as inclusive as it should be. With that background, it was unsurprising that the executive summary and then the whole report were leaked to the media on 14 and 15 April this year. The frustration in the sector is palpable. That is obviously what led to the leaking of the report. Finally, on 16 April, the minister did what
should have happened before Christmas. She published the report along with a press release. Ms Ley said:

A consultative and collaborative approach is essential to achieving this—

That is, a genuine, national approach—

and I intend to seek bipartisan agreement to revive a national approach to mental health at tomorrow’s COAG meeting of Health Ministers.

However, in the very next paragraph of that press release the minister makes a highly political and inaccurate attack on federal Labor. That is not a good way to achieve bipartisanship.

Just for the record, the Labor’s commitment to mental health reform and funding is impressive. Labor increased Commonwealth spending on mental health by 357 per cent to around $2.4 billion in the four-year period from 2011-12 to 2014-15. That stands in contrast to the $516.3 million providers in the four years from 2004-05 to 2007-08 under the Howard government. This has been an embarrassing series of events for the government and could have been avoided if they had thought through the principles of respectful consultation and codesign.

Now we have the report and the promise of an expert reference group, which will focus on four things—and last night’s budget papers repeated that claim. I encourage the minister to become more engaged with mental health policy and services. We acknowledge that since her appointment she has had to manage the disaster that former Minister Dutton left her. The $57 billion in cuts to public hospitals, the four—or was it five—iterations of the GP tax and the freeze on indexation to the MBS. But mental health needs the engagement of a minister who is committed to engagement and reform, who understands the needs of the sector and is prepared to do the work needed to build on the reforms of the former Labor government.

Earlier this month we also saw the announcement of the extension—but only for one year—of program funding for services to people living with mental ill health. Again, this was an eleventh-hour announcement that the sector was very desperate for. Mental Health Australia’s survey of services, published in December last year, showed that the sector was clearly suffering from the uncertainty of funding. They found: 40 per cent of services report they have already experienced loss of staff because of this funding uncertainty; 46 per cent report difficulty in attracting new staff; 53 per cent report a reduction in services to clients; 81 per cent report a decline in staff morale; 85 per cent report a loss of trust in government, amongst management and staff; 56 per cent report they have had no communications regarding the future of their Commonwealth funding after June 2015—remember, this is November last year; 91 per cent of organisations said if they did not find out about their funding they would need to reduce staff; and 88 per cent said they would need to reduce services. The minister knew about this in December last year, but we had to wait until 2 April for an announcement to be made—and then it is only for one year.

Last night’s budget basically restated what was already known when it comes to mental health. The papers talk of the new mental health plan, but there is no detail, no time frame and no funding. The extension of one year of funding to services is restated. I do welcome the renewed funding for three years to the National Mental Health Commission. However, the budget papers do show the continuation of the indexation pause for service funding until 2019-20. We will explore what this means for mental health services at Senate estimates. The Health portfolio budget statements show that $34 million less will be spent on mental health
services over the next four years compared with the budget papers from last year. Again, we will pursue that further at estimates. There was no announcement of the Partners in Recovery funding for the 13 Medicare Local regions, which still have not yet been brought online. It is simply unfair that there are 13 regions in Australia that look over the boundary and see these programs rolling out for people living with severe mental ill-health and can do nothing for people who need those services in their regions.

It is clear that mental health has not received the priority it deserves from this government. What are the reasons for this low priority for mental health? Is it that the minister is so consumed with cleaning up the mess of last year's budget—the $57 billion of cuts to public hospitals, the GP tax and the freeze on indexation—that she has no time to deal with the pressing issues of mental health, or is it that mental health is simply not seen as a vote winner by Mr Abbott and his government? This budget confirms that the Abbott government does not believe that mental health and the wellbeing of Australians deserve their proper attention. Engagement and reform in mental health has slowed to a standstill. What we know is that it will be another year before anything will happen in the mental health sector. The momentum of reform begun through Labor's historic 2011 commitments has been lost. People living with mental ill-health, their families, their carers and the mental health sector deserve better.

Budget

Senator HANSON-YOUNG (South Australia) (13:02): I rise today to speak to the elements of the family package as announced in last night's budget. Firstly, I would like to put very clearly on the record that I am pleased that the government has finally realised that there needs to be proper investment in child care, but of course this comes with a very big caveat and that is: how these changes will actually impact on the lives of families across the country and how these improvements will be funded. There are many childcare opportunities that were missed in last night's budget. First of all, the measures proposed in the government's childcare package do nothing to address the very real issue facing Australian families when it comes to finding a place in a childcare centre up-front. There are year-long waiting lists and inflexible intakes. Unless you address these issues, it is very difficult for parents to get their child in the door of a childcare centre, let alone know how they are going to afford the enormous and skyrocketing fees. The fact that we are seeing a push to get both parents into the workforce means that, unless we address the flexibility issue and the need for a reduction in waiting lists, parents who are easing themselves back into work, working casually or working seasonally, will be locked out. There is nothing in the budget that deals with these flexibility issues. How does the government expect parents to take on more hours, find and secure a childcare place and meet the activity test all at once? The mind truly boggles.

As well as increasing funding for some families, the package will take a lot of money—we are talking thousands of dollars—from some of the poorest families across the country. Cracking down on the number of hours parents have to work in order to access childcare subsidies will have a detrimental effect on many children from low-income families, leaving thousands of children worse off. Under the new activity test, poor kids are going to be hit the hardest and, in the long run, that means they simply will not be school-ready. It is very difficult to understand why the government would make it harder for disadvantaged children and those from low incomes to access what we know is crucial early learning before they go to school.
The government should be listening to the experts. The experts say that there should be a minimum of two days per week of early learning to get kids ready for school, to ensure that they can get to school and have the best possible start. This government is cutting that minimum to one day a week. Children from poorer families are going to lose their access to child care by half. That is not smart; that is dumb. Children should not be cut off from accessing early childhood education and care just because their parents do not work enough hours to satisfy Mr Morrison’s new harsh work test. It is about the children’s ability to learn to be in an environment that helps them develop and get them school-ready.

I am concerned that, without proper safeguards, vulnerable and low-income families will be hit the hardest by these government changes. This is about early intervention. It is about providing quality education outcomes for children. It is not just about balancing Joe Hockey’s budget. How can children ‘get out there and have a go’ at primary school, as the Treasurer has suggested, if they have been short-changed in the childcare system? If they are not school ready, they are going to be behind from the start.

The social and economic benefits that come from investing in early childhood education and care are undeniable. There are papers and papers on this. There are experts across the world who understand that investing up-front is the best way to go for educational outcomes, health outcomes and, in the long run, the economy. Research has shown this time and time again. It is blindingly obvious: investing in educational outcomes is the best way a nation can invest in the next generation and the future economy of the country. This government is missing this opportunity by cutting out the minimum amount of time that children can access—and have guaranteed access to—early learning and child care. This government is missing an opportunity to create a nation of smarter children and, therefore, smarter workers.

Of course, the government also says that parents wanting the new childcare subsidy will have to wait two years. None of these changes are going to come into place until 2017. If you are a family with kids in child care right now, if you dropped them off at child care this morning, if you will be struggling to pay the childcare fees at the end of this month, these changes are not going to help you. The government missed an opportunity to make a difference to people’s lives today and tomorrow. And, of course, it is convenient that all of these changes are going to happen after the next election.

Then, of course, there is the compounding issue that this government is trading off one group of parents against another. Cutting paid parental leave for half of the new mothers in this country is a national shame. Cutting paid parental leave support for half of the new mothers in order to pay for changes to child care in two years time is a false economy. We know that the changes to the Paid Parental Leave scheme, as proposed by this government, come into place next year and yet there is going to be no change to making child care more affordable or accessible until at least 2017. What do parents do in the meantime? They will have higher childcare fees and fewer places in child care, and they will have had their paid parental leave entitlements cut—$11½ thousand whack, straight out of the budget of new mothers.

The government knows full well that the current Paid Parental Leave scheme was designed to work in conjunction with employer schemes. The current government scheme is the bare minimum that any Australian government should expect Australian mothers to cop—18 weeks at the minimum wage. It was designed to allow for women to negotiate with their
employers for a top-up. It is not double dipping; it is how the scheme was meant to work. Demonising new mothers who have taken this option and have been able to be supported by both their employers and through the government scheme is nasty, cruel and plain wrong. More than anything, it shows what a woeful minister for women Tony Abbott really is.

This Prime Minister said that he wanted to see a world-class paid parental leave scheme. Fast forward to six months later, and he is taking Australia backwards and rubbing the noses of Australian mothers in his budget woes. This Prime Minister does not give a damn about the workforce participation of women. He does not give a damn about whether women have a genuine, proper paid parental leave scheme to rely on. When the rubber hits the road, this Prime Minister has given up on women in a blink of an eye. If there was ever an example of why this Prime Minister should hand over his portfolio of minister for women to, perhaps, a woman for a change, this is it.

The Prime Minister's budget is a fraud. He is spending his entire time pretending that last year's cruel cuts, harsh measures and slashing of spending, all of it falling on the shoulders of hardworking, low-income families across this country, did not happen. Australians are not that silly. The public cannot be taken for mugs. We know that Tony Abbott's ideological attack on those who could least afford it last year has sent ripples not only through this community but also through his party. It needs to change. (Time expired)

**Drought**

**Senator O'SULLIVAN** (Queensland—Nationals Whip in the Senate) (13:12): As I have done in the past, I intend to make my senators statement about the circumstances surrounding agriculture and primary production that, not just in my home state of Queensland but additionally in large tracts of western New South Wales, remain under the serious burden of drought. I have made contributions in this place over the last 18 months with the consistent theme that our Commonwealth government—and it does not really matter who is in the chair—needs to continually review and establish what is required for us to maintain a very strong agricultural and primary production sector at a time when this nation is witnessing a transition from a resource economy to a soft commodities economy. In the words of a colleague, it is an old economy returning.

What we have seen, and I have spoken about it in this place, are the impacts of this once-in-100-years drought, along with—not to be political—the decision of the federal government that impinged upon the live export of cattle into Indonesia in 2011. And there were also things like the high dollar and the ongoing low farm gate profitability of many enterprises particularly in the areas that are affected by drought—broadacre large-scale grass-fed cattle operations. Not only have these things impacted on the pastoralists and those family enterprises, but the insidious impacts of this collection of challenges have now made their way into the communities in those areas.

About a quarter, if not a larger percentage, of my state is now destocked or has very light stocking rates. We all know that rain, if it were to come tomorrow, would be of little use and in fact could create greater concerns. If we have rain and frost in some of these areas, the last tiny bit of herbage that is there will be frozen off. The beneficial rains will come in the spring or summer, if God is willing. At the moment, not only do we have no pasture as a result of the drought but all of our surface waters are gone. I can report to the Senate that recently, on a trip to Longreach, I spent about the last 30 minutes of the flight, from probably south-east of
Blackall through to Longreach, looking out of the window of the plane, and I was unable to
see any evidence of surface water anywhere within the parameters of that view. So, these are
very, very serious circumstances for those parts of my state and New South Wales and for the
industries and sectors and now significantly the communities that support them.

It is a matter of public record that I raised this issue in the joint party room of our coalition,
asking colleagues around the country to consider what they might do if these circumstances
presented in their electorates. For example, I asked what would happen if the biggest industry
in their electorate had come to an end and it had no stock left on the shelves, had no
employees and was under threat of defaulting on loans arrangements. What would they do?
What if everybody in their electorate were in those circumstances? I asked what they would
do when it impacted on other tertiary businesses in their electorate, such as their newsagents
and their hotels and motels and a range of those sorts of businesses. Not that everyone in this
place and the other place was not sympathetic, and not that they did not have some knowledge
of the circumstances confronting these sectors and these communities and these regions, but I
do think the presentation, along with contributions by other members of the House of
Representatives and other senators, did resonate with many of the members of our
government. And of course what happened in the ensuing five or six weeks was that our
government responded, and part of what I wanted to do today was to recognise that response.
It is not often that you can mobilise the interests of this parliament, measured in weeks.
Typically these things are long haul, but I think everyone understood the critical nature of the
challenge given that we did not have summer and spring rains in 2014-15, and many of these
pastoralists are now years away from recovering. Even if there was rain this spring and
summer, it would be late 2017 or early 2018 before we saw a cash flow return to these
districts, and then of course that would have a flow-on effect in these communities.

Accordingly, the Prime Minister, Mr Abbott, took a personal interest in this and, along
with the Deputy PM and the agriculture minister and, I imagine, a number of other cabinet
colleagues supporting them through the ERC process, developed a package of new money to
allow us to pump $83 million into about 12 shires and to benefit the communities within those
shires. The conditions of this funding have to do with the money being spent on local labour
and supporting local contractors, and any goods and services are to be bought locally. For
example, Madam Acting Deputy Speaker—

The ACTING DEPUTY PRESIDENT (Senator O'Neill): It is 'President' over on this
side of the world, not 'Speaker'.

Senator O'SULLIVAN: Sorry—President. My thoughts are on what I wanted to say, and
I apologise. The Longreach primary school—and Longreach is a very stable community—had
a loss of students of about 33 per cent in the last 14 months. That meant that one-third of the
students and their parents and carers and whoever makes up their family unit had migrated out
of the community because they no longer had work, or circumstances presented that were
directly relevant to this. So, this package—which is not the end of it but is an interim
package—of $35 million for shovel-ready local infrastructure and employment projects is
going to give a terrific boost. Additionally, the Prime Minister approved $25 million plus for
projects to manage pest animals and weeds through the affected areas, because there has been
an absolute explosion of the impact that feral dogs are having on weakened stock, and we
have had a complete explosion of the kangaroo population. Despite what some of my
colleagues in the Greens argue—that they are on the cusp of extinction—current figures show that the population in Queensland is about 36 million kangaroos, and they are eating any available herbage or grass that will be competed for by these drought-affected stock. Importantly, there was $20 million to expand existing social and community support programs. This is directly putting money in. It will increase. There will be another 10 counsellors also funded, with a $1.8 million additional rural financial counsellors fund.

All in all, in the time I have left, I want to congratulate the Prime Minister, the Deputy Prime Minister and the Minister for Agriculture. I know that initiatives like this are supported by colleagues opposite in the House of Representatives. Whilst there has been some criticism, generally I think initiatives such as this are well supported. I urge my colleagues throughout this parliament to continue to monitor the circumstances of our fellow Australians in these very difficult circumstances. We should, as and when possible, support each other in the development of initiatives that will respond to their circumstances. Thank you for the opportunity to speak.

Renewable Energy

Senator SINGH (Tasmania) (13:23): I rise to speak of the importance of a strong and robust renewable energy industry in this country. In 2013 Australia was one of four most attractive countries in which to invest in renewable energy. Prior to the 2013 election, the renewable energy target was a bipartisan agreement between the coalition and Labor, and had been so for over a decade. Before Prime Minister Abbott shifted the burden of paying for pollution from the polluters to the taxpayer, before the election he and Minister Hunt promised that the renewable energy target was a bipartisan target and would be left alone. That was a promise, like too many promises, that he and Minister Hunt would not keep. By breaking its promise on over a decade of bipartisan certainty on the renewable energy target, the Abbott government has successfully undermined a key plank of the then Howard government's environmental and energy program and, in doing so, has undermined the renewable energy industry.

In the meantime, the rest of the world is investing in renewable energy and preparing for a clean energy future—investing more and investing quicker. Since 2013, the world has been adding more capacity for renewable energy each year than for coal, natural gas and oil combined. Costa Rica powered itself entirely with renewable energy for the first 75 days of this year, and China, the biggest investor in renewable energy, has announced policies to build a clean energy system the size of the entire US electricity network in 15 years. The Chinese National Energy Administration has stated it has connected over five gigawatts of solar power to the grid for the first quarter of 2015. China now has 33 gigawatts of solar power supply and aims to add 17.8 gigawatts of solar power this year. In the US, the Governor of California, Jerry Brown, in January set a target of sourcing 50 per cent of his state's power supply from renewables by 2030. In April, HSBC analysts warned of the growing likelihood that fossil fuel companies may become 'economically non-viable' as people move away from carbon energy and fossil fuels are left in the ground. HSBC suggests divesting completely from fossil fuels and shedding the highest risk investments such as coal and oil.

But almost immediately the 2013 election was won, the Abbott government chucked its promises and began making statements clearly aimed at undermining and destabilising
investment in the renewable energy industry in Australia, like blaming the renewable energy target for significant price pressure in the system—an opinion so inaccurate it must have been borrowed from Tony Abbott's business adviser and climate sceptic Mr Maurice Newman. It became obvious what was planned when the Prime Minister's office established an unnecessary and inaccurately-described 'independent review' to the renewable energy target instead of taking expert advice from the Climate Change Authority's legislative-required review of the renewable energy target. The outcome of the disgraced Warburton review, as it has become known, was guessed by the rest of us when the Prime Minister hand-picked an assortment of fossil fuel boosters and climate change sceptics to sit on its panel but did not appoint anyone with any in-depth industry experience or expertise in renewable energy.

After refusing to accept the report's initial recommendations, after the findings of ACIL Allen's report, sending it back for more work on options to abolish the renewable energy target and then finally accepting the report in September, the government has sat on it and refused to respond to it. Instead, they have focused on a floating real 20 per cent target for renewable energy, as if Australia needed a limit on the amount of renewable energy generation and engaged in eight months of dishonourable haggling to reduce the renewable energy target to a figure their big pollution donors would accept. Now we are here at a figure of 33,000 gigawatt hours as a revised large-scale renewable energy target after a dishonest, manufactured crisis by this government and that the Clean Energy Council has described as causing a cut in large-scale renewable energy investment in Australia of almost 90 per cent in the last year. That has forced many of the sector's 21,000 employees out of their jobs. No new projects are going ahead—and why would they? The government has sought uncertainty in the sector, and it has achieved it. It has damaged investments. It has spooked investors, with many of them losing confidence in Australia as a safe investment destination. This is a far cry from 2013, before the election, when Australia, as I said, was one of four most attractive countries to invest in renewable energy.

Just to make sure that the uncertainty was guaranteed and as destructive as possible, the Abbott government has performed another backflip on multiple promises it made as recently as two months ago by eliminating the need for two-yearly reviews of the renewable energy target. If there is still a process of reviewing this scheme every two years, investors simply will not put their money on the table. They will not build new projects. But if we refer to the joint press release on 16 March, when Minister Macfarlane and Minister Hunt clearly understood that this issue goes to the heart of investor confidence, they said:

As the Government has made clear throughout the negotiations … we will also remove the requirement for regular two-yearly reviews of the RET to give the industry the certainty it needs to move ahead.

Yet now they have completely reneged on that part of the deal. Clearly there in black and white in their own press release on the government's website they said that they would remove the requirement for regular two-yearly reviews. By raising this red herring of the inclusion of two-yearly reviews and of native wood waste to be included in the target, this completely undermines the newly negotiated target of 33,000 gigawatt hours. But, as the Clean Energy Council and the Solar Council have made clear, this deal simply cannot proceed unless the government drop their reckless idea of re-establishing these two-yearly reviews, because that goes to the very heart of business confidence, of investor confidence. Labor has always been with the industry in restoring investor confidence, and that is why we have
negotiated in good faith to come to the figure that we have come to of 33,000 gigawatt hours. Yet, the government—dishonestly, again—has now put these red herrings on the table. One would be not a sceptic at all to think that this government simply does not believe in wanting to get to a negotiated outcome.

The jobs and investment created by the Renewable Energy Target are critical in my home state of Tasmania, a hallmark of renewable energy, and I am sure that the Tasmanian Premier, Will Hodgman, has been timidly and quietly worried about the Commonwealth's attack on the RET. He certainly has been deadly silent on it. Tasmania currently supplies more than 40 per cent of the nation's renewable energy and, with further development, has the capacity to utilise its natural advantages in hydro and wind into the future, growing the industry further in Tasmania and growing jobs, much needed jobs, in our home state. Tasmania simply cannot afford to lose the jobs and economic growth provided by renewable energy to Tony Abbott's ideological attack. Labor simply will not stand by and watch another industry disappear from Australia under this government's watch.

Budget

Senator LAMBIE (Tasmania) (13:33): I want this budget to succeed. I want confidence to return to consumers and the small business sector. I want more jobs created and I want job security to return to those Australians who are lucky enough to have employment. However, the 2015-16 Prime Minister and Treasurer's budget is an attempt to repair the great social and economic harm which was unnecessarily caused by the Prime Minister and Treasurer's budget of 2014-15. With this budget, the arsonist who burnt down the house in 2014-15 has now returned with some flowers and chocolates—and an application for a builder's licence.

So, like most matters in politics, it now comes down to a matter of trust. With this budget, the Prime Minister and the Treasurer have proven that they misled us about a budget emergency a year ago. With this budget, the narrative that a hung parliament will guarantee chaos and will be bad for Australia has also been exposed as a lie. A hung parliament with sensible, responsible, caring independents on the crossbench has been proven to guarantee consultation and has been good for Australia. A hung parliament with sensible, responsible, caring independents on the crossbench has been proven to be an insurance policy against the excesses of all of the major political parties. A hung parliament has tempered and remedied: (1) the Liberals greed and born-to-rule arrogance; (2) the Nationals lack of courage to stand up to the Liberals and stand up for the bush; (3) the Greens extreme environmental zealotry; and (4) Labor's uncontrollable desire to please the Greens at the expense of workers' jobs. And, I dare say, the better hung—the more well-hung—the parliament, the better the protection that pensioners, families, unemployed and the battlers will have against the excesses, incompetency and dishonesty of the Liberals, the ALP and the Greens.

There are many serious political commentators who specialise in economics who warn that the Prime Minister and the Treasurer, in a selfish attempt of political self-preservation, have avoided the hard economic decisions to return our budget to a surplus. Indeed, the Australian Financial Review says that the government's plan to return the budget to surplus is barely credible. My grandchildren may have a government which has lost its triple-A credit rating thanks to the Prime Minister and the Treasurer's lack of courage. This budget has missed opportunities to raise new revenue and save money. We do not have to continue this attack on pensioners and families. We could bring our troops home from the Middle East and save $750
million a year or $3 billion over the forward estimates. It is dumb to risk our diggers lives in Iraq when the US has made a half-hearted commitment of 3,000 troops in the recognition that it is a lost cause in Iraq now.

And even if the Prime Minister refuses to bring the troops home, why do Australian pensioners and families have to pay $750 million a year for our troops to be in the Middle East. Why can't the countries and peoples who want our military presence in the Middle East pay us, compensate us, for our costs? Those countries and peoples, even though it may not look like it on TV, are making large surpluses. The Economist magazine published a pocketbook for 2015 which summarises and compares the financial state of all the countries in the world. Page 34 shows that five rich Middle Eastern oil countries, out of the top 17 countries, have recorded some of the largest surpluses in the world, with a combined total of nearly USD $400 million, or AUD $459 million. The surpluses include, in US dollars: Saudi Arabia, $164.48 billion; Kuwait, $76.28 billion; United Arab Emirates, $66.58 billion, Qatar, $626 billion and Iraq, $29.58 billion, giving a total surplus of USD $398.6 billion. If those Middle Eastern countries financially benefit from Australia's military presence in the Middle East then they should pay for our diggers' presence. It is time the Prime Minister gave a guarantee that ordinary Australians—veterans, students, pensioners, families and the unemployed—will not be made to pay more in tax or lose entitlements in order to fund the latest futile war in the Middle East against Islamic extremists.

We need those troops at home to protect us, because while you will hear that there is a large boost to the resourcing of the Australian Federal Police, what you do not hear is that the Prime Minister and the Treasurer have plans in this budget to slash the number of federal police by 115. Other vital public service jobs that will cop the axe are 17 officers and workers from the Australian Crime Commission; 400 Australian Defence Force Reserves; and 41 officers from the Department of Veterans Affairs, all of this while our veterans' suicide rates are at obscene levels.

While I am talking about the Australian Federal Police I would like to congratulate them on the magnificent job they are doing to protect us not only from drug smugglers and the white powdered death they peddle to our children—eight Tasmanians a year die from opiate related drugs—but also from the Islamic fanatics, traitors and terrorists who want all Australians to eat halal food and live under sharia law. I have held a number of meetings with the AFP and other public service officers who are investigating the death threats against me, and I have found them to be some of the most dedicated and professional public servants.

In relation to those death threats, AFP officers made me aware of the fact that they believe that the person or group who made the threat have also made similar threats against other people in a number of different states. Obviously I will not be disclosing any other details of the AFP's investigations. When the death threat was mailed to me some critics insinuated it was made up and not genuine. Those critics are wrong and once again involved in nasty personal attacks, which I will not tolerate.

Once again I am calling on the Prime Minister to sack Veterans' Affairs Minister Michael Ronaldson and support a call for a royal commission into the management of veterans' issues. I recently released another YouTube short film featuring a wounded young veteran, Michael Lyddiard. Michael shared his story at a function that raised funds for young veterans to undertake a Kokoda trek as part of their ongoing rehabilitation. While I have seen the many
injustices that different Australian governments have caused our veterans, it still shocked me that someone who had been as badly wounded as Michael was still being forced into a fight with a department led by Minister Michael Ronaldson. It is a national disgrace that, unfortunately, is being repeated thousands of times every year.

The average Australian would be forgiven for not realizing that in the past 15 years nearly 70,000 young veterans have served in warlike or war conditions in East Timor and the Middle East. Many veterans also say that after being discharged from the Australian Defence Force they have suffered more harm at the hands of our government than they suffered because of enemy action. I know that many former diggers are carrying injuries, both physical and psychological, that have not received the medical treatment they need to properly recover, or have been denied fair compensation by uncaring governments.

Only a royal commission will have the powers and capacity to uncover the truth surrounding the lethal dysfunction and under-resourcing in the Department of Veterans' Affairs. Only a royal commission will uncover the true level of harm and suicides experienced in the veterans' community. And only a royal commission will make recommendations that will provide a remedy for the growing veterans' affairs crisis.

In closing, I want to thank the defence minister for meeting with me for an hour at the beginning of this week. I raised with him a broad range of issues, one of which is the concern of our veterans that if those diggers who have served for 20 years or more and are covered by a number of different government compensation acts—the VEA, the MERCA and the SERCA—and who are currently serving overseas in the Middle East, are injured, they will receive less compensation than those diggers who have served less time and are only covered by one government injury compensation act. It is a complicated compensation and insurance issue that must be addressed and fixed. I call on the defence minister to make public his investigations into this matter.

Queensland

Senator McGrath (Queensland) (13:42): A few weeks ago I went on another of my road trips, listening to the people of Queensland. I drove up, leaving the rain of the Sunshine Coast, to the dryness of the north and west. I went up to Emerald, Winton, Abbotson Station, Hughenden and Charters Towers and then across the coast to Ingham, Cardwell, Tully, Innisfail and Edmonton, before ending up at Rocky Creek, which is on the tablelands, near Atherton. While on this road trip, everything from the drought to red tape, yellow crazy ants, infrastructure, cattle prices and abattoirs, better roads, motor sports, sugar marketing, the impact of Panama Tropical Race 4 on the banana industry and aged care was raised. Later in my remarks I will speak further about the drought and the good work being undertaken by the federal government to help not just those on the land but those in the small communities who are afflicted by this terrible natural disaster. Later tonight I hope to talk about the $600 million banana industry and the challenges facing the north with Panama Tropical Race 4.

In today's remarks I want to touch on a couple of issues from the trip before going to the drought. The first is the issue of the yellow crazy ants. In Edmonton, just south of Cairns, I visited the yellow crazy ant eradication project and went away rather itchy and twitchy but blown away by the threat posed by these ants to Queensland. I was incredibly impressed with the work being undertaken to destroy the ants. This is an issue that is hard to comprehend without seeing it first-hand and hearing from survivors—and maybe being harassed by the
ants yourself. Only then can you fully understand the consequences of this pest, should super colonies develop in tropical North Queensland.

Sadly, this ant is found across the state, but due to the climate and habitat of the wet tropics, the yellow crazy ants pose a clear and present danger to farmers and residents, along with world heritage areas. Robyn Quick, who was our Liberal National Party candidate in the seat of Mulgrave at the last state election, took me to see first-hand what is going on. We went to a farm owned by Frank Toedo, who hosted me. In between lots of tea, sugar and biscuits, he told me stories of how the yellow crazy ants had impacted upon his quality of life. He told me of how he had woken up in the middle of the night with the ants all over him starting to eat away at his eyes and get into his nostrils. He also told me what they had done to his dogs. The stories that he told me, sadly, keep me awake at night. What is more scary is that these ants are still at his back door.

I would like to thank Frank for hosting me, but also Lucy and her team from the Wet Tropics Management Authority, Chris Clerk and the team from Conservation Volunteers Australia and local residents for meeting with me. The Wet Tropics Management Authority currently have a $2 million grant from the Commonwealth for a Green Army group working on baiting the ants. Sadly, funding is not guaranteed after the next program. We need to further extend the project and gain additional funds to finish the baiting. I have written to Minister Hunt seeking further support for this worthwhile project.

I have previously spoken in the chamber about the Rocky Creek Igloo restoration project. This is the restoration of a rare surviving World War II igloo; indeed, it was the entertainment theatre from the largest hospital in the Southern Hemisphere during World War II, where over 55,000 soldiers from the Pacific theatre were treated. The Rotary Club of Atherton, along with other committed volunteers from the tableland, are leading the charge to save this grand old building, and I am helping as patron for the restoration project. On Saturday, 11 April, we formally launched the fundraising campaign. We need around $1½ million, so for anyone who is listening to this or reading the speech later and is passionate about our heritage and about what happened during World War II, please—this is something that you should support. This is a strange old building. It is quirky. It is a grand old building that is not merely the sum of its parts—it is the iron, the wood, the dust and the rust and the musty smell. It is the sum of all of us. It is a bridge to a past that is fading; it is from a world war that is slipping slowly from memory to history. This building must be saved—not because it is old but because it is the story of the people of the north.

I would encourage you to go to Rocky Creek to see this building. It is a lonely sentinel. Not only is it guarding and protecting the decaying remnants of the hospital; it is also standing as a sulking praetorian over the memories, the dreams, the tears of laughter and tears of sadness and the light and dark of this special place where so many people who served our country were treated and where some, sadly, passed away. While the hospital helped to heal the physical wounds, it was in this igloo that the war could be forgotten. Nightmares were left at the door as dreams were collected at the ticket counter in the shadows of dancers and the flicker of light. If you have any spare money, I would encourage you to please, please support this restoration.

I would now like to talk about the terrible natural disaster that is the drought affecting a lot of Queensland. A persistent theme throughout my trip was the impact of drought—not just on
the graziers and the farmers but also on the rural communities. This drought is actually a silent dry, as I fear that very few in the city or even in the southern states have, until now, really heard about the impact of the drought on Queensland. Across the western districts I met with graziers, small businesses and local governments to witness firsthand what is happening.

Agriculture is worth about $58 billion to the Australian economy, employing over 300,000 people and feeding tens of millions globally. But, without water, a precious resource in the outback, bustling towns and pastures are gradually morphing into parched earth. Large areas of Western Queensland continue to experience rainfall shortages, with the recent wet season failing to make enough of an impact. Of the 77 local government areas in Queensland, 44 are drought declared and three are partially drought declared, covering over 70 per cent of the state—an astonishing figure which too often goes unnoticed in the city. The drought, combined with high debt levels, depressed land values and, in some cases, decreasing farm gate returns—not to mention Labor's disgraceful ban on live exports—has created a perfect storm for farmers throughout Western Queensland. As a senator for Queensland, the most decentralised state in our federation, I am very proud of the steps that this government is taking to support rural and regional communities in their time of need. I am particularly proud of Liberal and National party senators Barry O'Sullivan, Matt Canavan, Ian Macdonald, George Brandis and former senator Brett Mason for their advocacy to the federal government to assist drought-affected Western Queensland.

The $330 million drought support package announced by the Prime Minister and the Minister for Agriculture, Barnaby Joyce, last week up at Longreach is vital and welcome throughout our communities which have been hit hard by the drought. This is a practical package. It is all about local jobs, local spending and keeping our towns and communities going. For example, in many small towns where local government is a major employer, the need to increase local work projects to provide employment was a message I heard repeatedly on my tour. So it is fantastic to see a $35 million grant allocated towards shovel-ready local infrastructure and employment projects. Other measures include $25 million to manage pest animals and weeds in drought-affected areas; $20 million to expand existing social and community support programs; $1.8 million for additional rural financial counsellors and $250 million to continue access to drought-specific concessional loan schemes. These measures build on the existing Commonwealth support to farmers experiencing hardship, which is currently flowing to almost 5,000 farmers or their partners.

I was also pleased to see that last night's budget contained further measures to assist farmers. From 2016, farmers who improve their land will get an immediate tax deduction for water facilities and fencing, and three-year depreciation for all capital expenditure on fodder storage assets. The $5 billion announced for infrastructure loans in Northern Australia will also help to build the economic potential of that great frontier, and more will be announced when the white paper is handed down later in the year.

I am very proud of the work of this coalition government, which once again demonstrates that the Liberal and National parties are fully committed to rural and regional Australia and to the bush. Helping communities suffering from drought is not just about what this government is doing; individuals and communities listening to me today also have a role to play. I encourage people to donate money to local organisations that are working on the ground in regional communities, such as the Country Women's Association. Do not give goods, give
money—by giving goods you are hurting small businesses in struggling towns. Or better yet, become a tourist and go to Western Queensland. Not only is there so much for you to see and do out west; but you will also boost local small businesses and gain a personal experience of the challenges that far too many rural and regional Australians are facing every day. The drought will only go when the rains come. In the meantime, all of us can do our bit to help the communities of Western Queensland.

Western Queensland

Senator KETTER (Queensland) (13:52): I rise today to speak on behalf of Queenslanders living in rural and regional Australia, and perhaps to touch on a number of the areas that Senator McGrath has already touched on. Last week I had the great honour and privilege to visit the town of Hughenden in North Queensland to attend the 79th annual conference of the Western Queensland Local Government Association. That association covers councils such as Barcaldine Regional Council, Barcoo Shire Council, Blackall-Tambo Regional Council, Boulia Shire Council, Central Highlands Regional Council, Diamantina Shire Council, the Shire of Flinders, Isaac Regional Council, McKinlay Shire Council, Longreach Regional Council, Richmond Shire Council and the Shire of Winton.

I would particularly like to thank the Mayor of the Shire of Flinders, Mr Jones, and Juanita Holden from his office, for their great assistance and hospitality in hosting me in Hughenden for the day of the conference. During the course of that day I was able to hear a number of the debates and discussions that were going on at the council meeting in relation to issues affecting people in Western Queensland.

One of the things that is of great concern to the local authorities is the issue of financial assistance grants. Financial assistance grants were a Labor initiative in 1974. Unfortunately, in the budget last year this government decided to freeze the indexation of financial assistance grants. I note the media release from the Local Government Association of Queensland yesterday expressing disappointment at the failure of the government to move away from that decision. There were some other aspects of the budget which, to be fair, the LGAQ did welcome, but that was one area of disappointment expressed by local government associations.

Those financial assistance grants are particularly important to struggling Western Queensland local authorities. In some cases those financial assistance grants constitute up to half of the income of the local authorities. The total estimated figure for the cuts to the financial assistance grants in the electorate of Kennedy to 2017-18 is $27,698,012. Longreach Regional Council was projected to lose $3.3 million. As I said, whilst those grants only make up a small part of the revenue base for larger metropolitan councils, this is a significant part of the funding for rural and remote areas. The loss to regional Australia over four years is $680 million, compared to the loss for metropolitan local governments, which would be in the order of $245 million. That was one of the issues that was concerning the members of the Local Government Association of Western Queensland conference that I attended.

During the course of the day I also took the opportunity to meet with a long-time Labor supporter in Hughenden, Mr Albert Eastaughffe, who is a local store owner in the town. I also discovered the importance of the tourism industry, now, to struggling Western Queensland. I heard a presentation from Mr Peter Homan, who is the general manager of the Outback Queensland Tourism Association. He made this very point—that, given the struggles of the
agriculture industry, the importance of tourism to Western Queensland cannot be underestimated. I join with Senator McGrath in saying to people throughout Australia that this is a wonderful time to visit Western Queensland. There is a misperception that the water supply of the local towns has been affected. That is not the case. Western Queensland is open for business and it would welcome people to visit the very interesting parts of Queensland.

I would like to move on to talk about the fact that last night's budget really did not address the future of Australia's struggling agricultural industry; it was more about Tony Abbott's job. Last year's budget was a complete failure for rural and regional Australia, and we have yet to see the agriculture white paper. The Abbott government has failed to deliver an agriculture white paper within 12 months of coming to office, as promised prior to the election. That means that, 20 months since the Abbott government took office, the agriculture sector still has no coherent, overarching strategic plan.

Prior to the election, Mr Abbott promised that his government would deliver the white paper within 12 months. That has not happened. The only significant reference to agriculture in the budget speech was yet another re-announcement of the concessional drought loans money which the agriculture minister has not yet been able to spend. Mr Joyce has been unable to spend this money because farmers either cannot access the loans or consider them unhelpful.

I return to my visit to Hughenden last week. The feedback we were getting from locals in Hughenden was quite clear: the drought package had been, up to now, most unhelpful because farming families were not eligible for the assistance. During my time in Hughenden I was told, time and again, that most farmers are having great difficulty accessing these facilities. People are frustrated about the government's slow response to drought affected farming areas. The people I spoke to were after more on-the-ground, immediate support. The tax breaks to assist drought affected farmers do not come into effect until July 2016, delivering modest assistance in 2017. That is hardly helpful for farmers suffering their third year of drought.

It is important to note the outstanding economic contribution that regional areas make towards Queensland. I agree with AgForce General President Grant Maudsley, who has indicated that agriculture is one of the most important sectors of the Queensland economy. Prolonged drought is threatening the survival of small towns in Western Queensland, but Labor will fight hard to ensure rural Australia has the services it deserves.

MINISTERIAL ARRANGEMENTS

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:00): by leave—Mr President, I advise that Senator Abetz will be absent from question time today for unavoidable personal reasons. Any questions in the Prime Minister's and the employment portfolios should be directed to me. Questions in the Agriculture portfolio should be directed to Senator Scullion.

QUESTIONS WITHOUT NOTICE

Budget

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (14:00): My question is to the Minister for Finance, Senator Cormann. I refer the minister to his previous
statement, and quote: 'More debt is clearly not the answer.' Can the minister confirm that the budget with his name on it delivers more debt and a higher deficit?

Senator CORMANN (Western Australia—Minister for Finance) (14:00): What I can confirm is that the economy is now strengthening, more jobs are being created and the budget is on a believable pathway back to surplus. What I can confirm is that we inherited a weakening economy from the previous government. We inherited rising unemployment and, of course, we inherited a budget position that was rapidly deteriorating. The government have worked very hard with a responsible, long-term economic plan to turn around the situation that we inherited. Of course, the results are there to see. Despite global economic headwinds, despite challenges that were unexpected and beyond our control, we are continuing on the same timetable back to surplus as in last year's budget.

What an extraordinary achievement. I would have thought that the Australian Labor Party would have been thanking us for fixing the mess they left behind. I would have thought the Labor Party would have come into this chamber today saying, 'How can we help to strengthen Australia? How can we help you create more jobs? How can we help you get the budget back to surplus more quickly?' Instead, all we are getting is more negativity, more no, no, no, more lazy opposition. There is no alternative plan, of course, from the Labor opposition. All we are getting from the Labor Party is a push for more new taxes. That is not a plan; that is just business as usual from the Labor Party.

The government are working very hard. The government have worked very hard for the last 18 months and more to strengthen growth by getting rid of your job-destroying carbon tax, by getting rid of your job-destroying mining tax, by cutting red-tape costs for business, by entering new free trade agreements with Korea, China, Japan. We are getting on with it and all we are getting from the Labor Party is negativity and political self-interest. It is time that you joined the actual conversation of what is in the best interests of the Australian people.

Honourable senators interjecting—

The PRESIDENT: Thank you, Minister. Order on my left! Let us hope that all the excitement has been got out of that first question.

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (14:03): Mr President, I ask a supplementary question. I refer to the minister's pre-election promise that under the coalition the budget bottom line will be better off. Isn't it true that under the Abbott government the budget deficit has doubled over the last 12 months?

Opposition senators interjecting—

The PRESIDENT: Just a moment, Minister. Order, on my left.

Honourable senators interjecting—

The PRESIDENT: Order, on both sides. Minister.

Senator CORMANN (Western Australia—Minister for Finance) (14:03): You do not have to accept every question that you have been given by your tactics leader. If you live with the facts, we inherited $123 billion in projected deficits. We brought that down to $82 billion in projected deficits. Yes, there is further to go, but we are making progress and heading in the right direction.
The Labor Party, over the last year, have opposed more than $30 billion in savings, including more than $5 billion in savings that they themselves initiated in their last budget. Don't you come in here and cry crocodile tears. If you were still in government the situation would actually be worse. In fact, if we had listened to all of your suggestions over the last year the situation would be worse. The truth is that we are now in a stronger, more resilient position as a result of the difficult but necessary decisions that we made. Yes, we have made some adjustments along the way, but we are now heading in the right direction. I say it again—the economy is strengthening, more jobs are being created, the budget is going back into surplus. (Time expired)

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (14:04): Mr President, I ask a further supplementary question. I refer to the Prime Minister's pre-election promise that people can be confident that spending, debt and taxes will be lower under a coalition government. Can the minister confirm that the budget handed down last night has higher spending, higher debt and higher taxes, and is breaking every one of the Prime Minister's commitments?

Senator CORMANN (Western Australia—Minister for Finance) (14:05): The exact opposite is true. We inherited spending from the Labor government of about 3.7 per cent above inflation. Over the medium term we have reduced it down to 1.5 per cent above inflation. Taxes as a share of GDP are manifestly on a lower trajectory than they were under Labor. We got rid of the carbon tax, we got rid of the mining tax. Last night we delivered a company tax cut for all small businesses across Australia. Ninety-six per cent of small businesses across Australia will now pay less tax from 1 July 2015 onwards. We have provided additional depreciation benefits for small businesses. Of courses, taxes as a share of the economy are lower than they would have been under Labor—significantly lower. Not only that, a debt reduction in net debt will peak in 2016-17 and will start to come down as a result of the decisions that we have made and, of course, without any help from the Labor Party.

Senator Conroy interjecting—

The PRESIDENT: Order, Senator Conroy!

Honourable senators interjecting—

The PRESIDENT: Order, on both sides.

Budget

Senator EDWARDS (South Australia) (14:06): My question is also to the Minister for Finance and Minister representing the Treasurer, Senator Cormann. Will the minister inform the Senate how this year's budget will strengthen growth, create more jobs and opportunity, and get the budget back into surplus as soon as possible?

Senator CORMANN (Western Australia—Minister for Finance) (14:06): I thank Senator Edwards for that question, and for his interest in the strongest possible foundation for Australia. When we came into government, as I said earlier, we inherited a weakening economy, a rising unemployment and a budget position that was rapidly deteriorating on the back of unsustainable spending growth. We came into government with a responsible long-term plan to strengthen growth, to create more jobs and to get the budget back to surplus as soon as possible. Guess what? We are making progress and our plan is working, and last
night's budget keeps the momentum going. Economic growth is strengthening, more jobs are being created and the budget is on a path back to surplus on the same timetable as in last year's budget. We are achieving this despite some unexpected additional headwinds—global economic headwinds—and the iron ore price falling from US$120 when we came into government to about US$58 now. That is a very significant impact and is quite material given 21 per cent of our national export income comes from iron ore. Despite all of this, we are still getting back to surplus on the same timetable and that is because we have kept spending under control. Unlike Labor, who promised to control spending to two per cent above inflation, we have actually contained spending to 1.5 per cent of GDP. All this is after investing in the future success of small business and investing in a jobs for families package, where we will help families get into work and stay in work by giving them access to more affordable, simpler, more flexible childcare arrangements. We are looking forward to working with the Senate on our plan to strengthen growth, to create more opportunities, to help families and small businesses across Australia that are having a go—(Time expired)

Senator EDWARDS (South Australia) (14:09): Mr President, I ask a supplementary question. Will the minister inform the Senate on how the budget will help families and small businesses?

Senator CORMANN (Western Australia—Minister for Finance) (14:09): The two centrepieces of our budget—and I note the Labor Party is not interested in families and not interested in small business, otherwise they would listen to what I have to say about this—are a $4.4 billion jobs for families package and a $5.5 billion small business and growth package. What we are putting forward is a plan to help families across Australia get better and more affordable access to a simpler and more flexible childcare system, because we understand that that is what will help families to get into work and stay in work; it will help Australia increase workforce participation and it will help us drive stronger growth. With our small business tax cut, with our instant asset write-off, with our instant depreciation for investments of up to $20,000, we believe that small business across Australia will drive stronger growth. (Time expired)

Senator EDWARDS (South Australia) (14:10): Mr President, I ask a further supplementary question. Is the minister aware of any alternative plans to strengthen growth and to get the budget back into surplus?

Senator CORMANN (Western Australia—Minister for Finance) (14:10): There are some alternative suggestions from the crossbench, to be fair to the crossbench in the Senate, including the Greens. I do not agree with the plans put forward by the Greens, but at least they have got one.

Senator Wong: Mathias the big spender!

Senator CORMANN: There is no alternative plan from the alternative government of Australia, and, going by the interjection from the worst finance minister in the history of the Commonwealth, she still does not understand that a tax cut is not expenditure. Cutting tax is not spending money. Cutting tax is allowing people to keep more of their own money. Cutting tax enables them to make judgements about where best to invest their own money to be more successful in the future. On this side of the chamber we understand that tax cuts are not expenditure, and it is clear that even after her 18 months in opposition Senator Wong still thinks that cutting taxes is actually spending money. This is going to be the choice for the
Australian people at the next election—do they want to return to a high-taxing, high-spending government like the Labor Party or do they want to stay with a sound economic team? *(Time expired)*

**Budget**

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) *(14:12)*: My question is to the Minister representing the Treasurer, Senator Cormann. How many new taxes and charges are in the budget handed down this year?

**Senator CORMANN** (Western Australia—Minister for Finance) *(14:12)*: None.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) *(14:12)*: Mr President, I ask a supplementary question. I invite the minister to reconsider his answer as there are clearly new taxes in the budget announced yesterday. Does the minister recall his statement last year that the tax burden will be less under a coalition government? Can he now confirm that under him as finance minister government taxation receipts will increase to 23.4 per cent of GDP, two percentage points higher than when the coalition was elected?

**Senator CORMANN** (Western Australia—Minister for Finance) *(14:13)*: Taxes under the coalition are lower and will be lower than they would have been under Labor. We have substantially lowered the tax as a share of GDP trajectory moving forward. It stands to reason—we scrapped the carbon tax, we scrapped the mining tax and last night we delivered a 1.5 per cent company tax cut for small business and an effective tax cut for unincorporated small businesses. We of course want to do more, we will do more, and we will do so when we can afford it and when it is responsible to do so.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) *(14:13)*: Mr President, I ask a further supplementary question. I refer the minister to statement 10 in Budget Paper No. 1. Can he confirm that this demonstrates that under him and this government Australians will be paying $114 billion more in tax?

**Senator CORMANN** (Western Australia—Minister for Finance) *(14:14)*: What I can confirm is that under the coalition taxes are and will be lower than they would have been under Labor.

**Budget**

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) *(14:14)*: Mr President, my question is to the Minister representing the Treasurer. You say you have listened to the community. You say, after the last budget was roundly rejected, that you have listened to the Australian community. But you continue on with your budget that continues the attacks on hospitals and on education. You continue to cut the foreign aid budget, you ignore action on climate change, and now you take money away from nurses and you take money away from aged care workers by cutting FBT entitlements. I speak to a lot of people. None of the people that I speak to want those things. Can you tell me who you are listening to?

**Senator CORMANN** (Western Australia—Minister for Finance) *(14:15)*: May I congratulate Senator Di Natale on his elevation to the leadership of the Greens. Indeed, may I congratulate the Greens senators in this chamber that they have listened to my strong advice to pursue regime change in the Greens. I am very pleased that there has been regime change in the Greens. I hope that the new Greens leader will listen to his Green constituency when it comes to a very important budget measure from last year, which is to ensure that we maintain
the real value of the excise on fuel. Because, of course, given that there is an expectation that we maintain the real value—

**Senator Di Natale:** Mr President, I rise on a point of order on relevance. I know question time has become a bit of a joke in this place, but I asked who he was listening to in reference to some very direct budget measures, and he has brought in an issue that has nothing to do with the question. Can you please direct his attention to the question.

**The PRESIDENT:** Senator Di Natale, you had a very, very long preamble to your question, mentioning a number of facts, and then you quickly asked at the end, 'Can you say who you were listening to?' I did hear the minister say he was actually listening to the Greens at one point. The minister has one minute and 21 seconds left in which to continue his answer.

**Senator CORMANN:** I am quite happy to tell Senator Di Natale who we have listened to. We have listened to the men and women of Australia representing the Liberal Party and the Nationals here in the Australian parliament, who are representing their communities strongly and effectively; we have listened to many stakeholders inside and outside the parliament in relation to all of the issues that we are addressing in this budget. I would say to Senator Di Natale, in his inaugural parliamentary week as leader of the Greens, that I hope that Senator Di Natale will take a more pragmatic and a more outcomes-focused approach when it comes to engaging with the government, because there are some things that we actually could do together in the national interest. There are some things that we can do together to put Australia on a stronger foundation for the future. There happen to be some outstanding matters from last year's budget where I believe there should be a common understanding about the best way forward. So I am looking forward to working with Senator Di Natale in his new role, in making the best possible decisions in the national interest for our great country. You know, we will not always agree, but I encourage you strongly to take a constructive approach.

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (14:18): Mr President, I ask a supplementary question. I should let the minister know that I do not smoke cigars, but I am more than happy to have a conversation with him. Given that the Australian community do not want money to be stripped out of health care, they do not want one family pitted against another family—

*Honourable senators interjecting—*

**The PRESIDENT:** Order!

**Senator DI NATALE:** Is that an opportunity to reset the clock?

**The PRESIDENT:** Yes, you can start again, Senator Di Natale.

**Senator DI NATALE:** Given that the minister has said that he listens to his National and Liberal Party colleagues, rather than the broader Australian community—who do not want money to be stripped out of health care, and who do not want to pit one family against another to pay for child care—can I ask the minister: why won't you take on the big end town and make sure that everybody pays their fair share when it comes to raising revenue?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:19): I certainly agree with Senator Di Natale that we have to do everything that we can to ensure that every business that generates profits in Australia pays its fair share of taxes in Australia consistent with the laws of the land. The Treasurer tabled legislation in the House of Representatives
yesterday to ensure, where multinational companies enter into contrived arrangements to avoid tax here in Australia, that the tax commissioner has the necessary powers to see through those contrived arrangements and ensure that the appropriate level of tax is paid here in Australia. Having said that, beyond that, of course, in any budget you have to make judgements about what the national interest is. You have to make judgements in the context of a whole series of competing priorities: a lot of meritorious causes that would like to see more money. You have to make judgements about what is affordable. We believe that in this budget we have taken a fair, measured and responsible approach, taking into consideration the particular challenges we are facing as a country right now. (Time expired)

Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:20): Mr President, I ask a further supplementary question. Minister, I am pleased you raised the issue of multinational tax avoidance, and it was good to see it in the budget; however, when I looked through the budget papers I noticed that there was not one cent allocated next to that line item—not one cent! Is that because you have gutted the ATO so that there are so few staff in that organisation they simply do not have the capacity to enforce that measure?

Senator CORMANN (Western Australia—Minister for Finance) (14:21): There is so much wrong with the premise of that question, I do not know where to start. Firstly, the staffing reductions in the ATO were actually initiated and banked by none other than Senator Wong as the finance minister. So that is an important first point to make. The second point to make is that the tax commissioner actually clearly spelt out in Senate estimates that this is not impacting on the operational effectiveness of the ATO in any way, shape or form—that they were able to make the necessary efficiencies in order to give effect to their staff reductions. Finally, of course, the reason that we have not allocated any money to it is that—unlike the previous government, which allocated $12 billion in revenue against the mining tax, spent it all before they raised a zack, and then did not raise any money and exposed the budget to structural difficulties—we are taking the Keating approach. When Paul Keating introduced the petroleum resource rent tax, he estimated zero dollars in revenue in his first budget and then raised money. Well, we want to get the money we need in order to ensure that these businesses pay their fair share of tax, but we are not going to get ahead of ourselves; we are going to do the work first.

Budget

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:22): My question is to the Attorney-General, Senator Brandis. Can the Attorney-General inform the Senate how the budget builds a stronger and more secure Australia?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:22): As you know, Senator Fawcett, keeping Australians safe and secure is the highest responsibility of government, and that is reflected in the budget priorities. The Abbott government has boosted counter-terrorism funding for our law enforcement, intelligence and security agencies by some $1.1 billion. That includes an additional $450 million in last night’s budget to strengthen intelligence capabilities and to counter extremist messaging. Within that $450 million is: $296 million to strengthen the capabilities of the Australian Secret Intelligence Service, including updating its IT systems; $22 million to counter terrorism propaganda online; and $131 million
to assist telecommunications providers to upgrade their system so they can retain metadata for two years.

I might mention that Senator Wright, in a question she directed to Senator Abetz yesterday, asserted that all of the spend has been on the agencies. That is not true at all. As well as the $1.1 billion invested in the agencies, we have expended an additional $545 million over four years to support social cohesion and community based programs. The government is also providing a further $750 million in this budget to extend Australia's military operations in Afghanistan, Iraq and the Middle East. That includes $382 million for the ADF operations to disrupt and degrade ISIL, or Daesh, in Iraq, combating violent extremism at its source as part of the international coalition.

**Senator FAWCETT** (South Australia—Deputy Government Whip in the Senate) (14:24): Mr President, I ask a supplementary question. Can the Attorney-General inform the Senate why the budget's emphasis on national security and counter-terrorism capabilities specifically is so important?

**Senator BRANDIS** (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:24): As you would be aware, on September last year the terrorism threat level was raised to high for the first time and has since stayed there, regrettably, since the environment has, if anything, become more dangerous. Since September last year, 23 people have been charged as a result of eight counter-terrorism operations on the Australian mainland. The number of Australian foreign fighters engaged in Syria and northern Iraq has increased during that time. We assess that there are now more than 100 Australians participating in that conflict, most of them with ISIL, and close to 160 individuals in Australia actively providing support to terrorist organisations and to individuals involved in the conflict. As well, as you know, Senator Fawcett, there is the alarming trend towards lone wolf terrorist actors.

**Senator FAWCETT** (South Australia—Deputy Government Whip in the Senate) (14:25): Mr President, I ask a final supplementary question. Can the Attorney-General inform the Senate how the budget will combat terrorism propaganda in Australia?

**Senator BRANDIS** (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:25): Yes, I can, Senator Fawcett. As you would know, one of the most dangerous dimensions to this problem is the activity of ISIL online. Indeed, it is an alarming fact that, every day, ISIL creates upwards of 100,000 pieces of online propaganda on Twitter alone. Online radicalisation is one of the most difficult dimensions to this problem and, therefore, the government has tripled investment in programs countering violent extremism to more than $40 million over four years. As well, the government's Combating Terrorist Propaganda in Australia initiative will invest almost $22 million over four years to challenge extremist narratives and reduce the support that terrorist groups can garner through the internet. This new initiative announced last night will establish a social media monitoring and analysis capability to help reduce access to extremist material online.

**Marine Sanctuaries**

**Senator LAZARUS** (Queensland) (14:26): My question is to the Hon. Senator Simon Birmingham, representing the Minister for the Environment. My question to him is being
delivered on behalf of fellow Queenslander Gwenda Casey from Birkdale in Queensland. In 2012 Tony Burke declared 40 new marine reserves around Australia and, as well, implemented management plans for the new parks to provide increased protection for Australia's unique and vulnerable marine environment. Some of these areas are habitats for humpback whales, blue whales, sea lions and other creatures. Senator, could you please explain why your government has suspended the management plans for the new parks and placed the status of the new parks on hold while you undertake a review?

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:27): I thank Senator Glenn Lazarus for the question and I thank Gwenda for raising the issue as well. I say to Senator Lazarus and his constituent that it is correct that this government believe we can do much better in the management of Commonwealth marine reserves. It was our opinion that the previous government seriously bungled the creation of new marine reserves in 2012 and that, in doing so, they trampled over the sustainable maritime community to achieve a political outcome. They rushed consultation and they shut recreational fishermen in particular out of the process. In Queensland, I certainly invite and encourage Senator Lazarus to make sure that he is talking to both his professional and his recreational fishing communities about their concerns with the process that was undertaken. I think he will find that many of his constituents shared the concerns that the coalition had, which is why we acted.

Our intention is to deliver a better environmental outcome that reflects community views and maintains the sound economics required for our fishing industry as well. We want to strike the right and sensible balance. We are undertaking genuine community consultation with local communities. Five bioregional advisory panels have held more than 170 regional public meetings all over the country throughout February, March and April this year to ensure that we have proper consultation on how to get the marine reserve plans right in future and not repeat the types of mistakes that the Labor Party made. The four-month consultation period review received more than 13,000 written submissions and approximately 1,800 responses to the online survey. There is enormous community interest in this in this—I acknowledge that, Senator Lazarus—but also a lot of particular interest from the fishing communities, which I would encourage you to speak with as well. (Time expired)

Senator LAZARUS (Queensland) (14:29): And, I understand, the mining companies, too. Mr President, I ask a supplementary question. I understand that the management plans prevented mining activity in the new marine reserves. Because the reserves are under review and the management plans have been suspended, your government is understood to have issued exploration licences and special prospecting authorities in these parks. Is that true?

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:30): I will look into that matter for Senator Lazarus. If he has any particular examples or areas of concern I would invite him to provide them to me or direct to Minister Hunt. If there is further information we will bring it back to the chamber.

Senator LAZARUS (Queensland) (14:30): Mr President, I ask a further supplementary question. I refer to an article by Lisa Cox in the Sydney Morning Herald dated 25 April this year, which states that seismic testing to look for petroleum has commenced in these marine parks. Can the minister please advise how many licences and/or authorities have been granted by the government and to which companies?
Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:30): I can advise Senator Lazarus that no oil and gas activities will be permitted in sensitive marine areas. There will be no oil and gas exploration and production in sanctuary zones, in marine national parks of the Commonwealth marine reserves. This will be clearly reflected in the new management plans. We are making sure that we get the balance right on this. These reforms are not about allowing mining exploration in sensitive marine areas; that will not be permitted. This restriction will be reflected appropriately in the new management plans. If Minister Hunt has anything further to add in relation to the specific example we will bring that information back to the chamber.

Budget

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:31): My question is to the Minister for Human Services, Senator Payne. Will the minister advise the Senate of the measures in the budget to support farmers who are suffering through the effects of drought?

Senator PAYNE (New South Wales—Minister for Human Services) (14:31): I thank Senator Ruston for her question and for her interest in this area. In the lead up to the budget, the Prime Minister and the Minister for Agriculture announced a $333 million package of drought support measures for drought affected farmers and Australians in those areas. As part of that package, $20 million will be targeted to delivering expanded social support services, in particular, to drought affected communities. It is clear from the evidence that we have seen across these communities that social support is crucial to helping farmers, farm families and rural communities to cope at this very tough time.

The drought coordinators in the Department of Human Services, who play a particularly important role, are a critical part of that support. We have had very positive responses to the five drought coordinators, who have been in place for some time and across New South Wales and Queensland. Part of the budget announcement in relation to this was to extend their tenure until 30 June 2016. Having met with recipients of the Farm Household Allowance and beneficiaries of the work of the drought coordinators, I can testify to how important their contribution is.

In addition, the budget has indicated that two more drought coordinators will be engaged from 1 July this year to service the drought affected areas in Western Australia and, particularly, in relation to Senator Ruston, the border of South Australia and Victoria, where these issues are also very prevalent, until 30 June 2016. The extension of the coordinators' terms and the addition of the two others ensures that farmers and rural Australians in the worst hit areas have continuing access to mental health services and family relationship support. (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:33): Mr President, I ask a supplementary question. Can the minister outline the role that the drought coordinators play and how they have helped the affected communities?

Senator PAYNE (New South Wales—Minister for Human Services) (14:34): I also wanted to indicate in my previous answer that the government is providing in the budget $1.8 million to fund additional financial counsellors, who are vital for farmers in these situations, and $250 million in the 2015-16 financial year to ensure that farmers continue to have access
to the existing concessional loan schemes. As well as that, the drought coordinators from my department have done an extraordinary job over the last year or so. They understand the phenomenal pressure that is put on farmers' mental and physical health and particularly on their family relationships. We hear about this. I heard Senator O'Sullivan speaking about it earlier today in the chamber, in fact. As at the beginning of this month, our drought coordinators have travelled over 225,000 kilometres in New South Wales and Queensland, attended over 1,100 meetings and visited over 200 community events with affected community members. (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:35): Mr President, I ask a further supplementary question. Can the minister further advise how the support that has been provided by the government is going to help farmers and their families?

Senator PAYNE (New South Wales—Minister for Human Services) (14:35): I thank Senator Ruston for her second supplementary question. I can advise that, through the work of the drought coordinators and the other social support initiatives that are already in place, more than 9,800 people from these communities have accessed direct community mental health support, including advice and counselling, over 2,800 referrals have been made to other services and nearly 18,000 people have had access to services such as family counselling. There is absolutely no denying the seriousness of the situation that these families face and the challenges they deal with every day. The work of the social support services, and particularly our drought coordinators in the Department of Human Services, is doing an exceptional job to support these people in these extraordinarily difficult times.

Child Care

Senator LEYONHJELM (New South Wales) (14:36): My question is to the Minister representing the Minister for Social Services, Senator Fifield. Can the minister confirm that the Commonwealth is a party to the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care? Can the minister confirm that the government provides funding to the states and territories under this agreement, including a significant contribution to the funding of preschool? Can the minister confirm that, regardless of your intentions, it is within the government's power to withdraw from the agreement and to discontinue the funding?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:36): I thank Senator Leyonhjelm for his question and for the notice provided. I can confirm that the Australian government is a party to the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care. The national partnership governs the implementation of a Commonwealth-state agreement for a nationally consistent regulatory scheme for child care and early learning. I should also indicate that withdrawing from the national partnership agreement would have no effect on the current regulatory framework. The states and territories have carriage of legislation and regulation in this area.

The Commonwealth is currently working through the review of the national partnership, with the states, and will be seeking to reduce the regulatory burden in the sector. The outcome of the review will be made public when all governments have considered the feedback on the proposed options, and the results of the review will be made public at that time. Finalising the review will allow all governments to move to the important task of negotiating the future of
the national partnership agreement, and Minister Morrison's preference would be to see a revised national partnership agreement in place by the end of 2015.

I can also advise that the national quality agenda does not relate to funding for preschools. This is governed by the National Partnership Agreement on Universal Access to Early Childhood Education—and I am pleased that the government recently made a significant announcement on this. Earlier this month, the government announced that we will provide $840 million over two years to continue this agreement, ensuring Australian families continue to have access to 600 hours of preschool per year in 2016 and 2017. I should indicate the significant work in this area by Senator Ryan, who has carriage of this particular area of responsibility. This is just one of many examples of the government doing what it can to better support families and their needs.

Senator LEYONHJELM (New South Wales) (14:38): Mr President, I ask a supplementary question. A review of the agreement was conducted in 2014. Based on this review, how has the national quality framework affected childcare costs; how do these findings compare with the cost impacts modelled by Access Economics in 2009; and can you release the review?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:39): As I have indicated, the Commonwealth is currently working through the review of the national partnership, with the states, and will be seeking to reduce the regulatory burden on the sector. It is true that the implementation of the national quality framework has led to an increase in costs for parents and the Australian taxpayer. This was an expected impact of the changes introduced by Labor and the state and territory governments at the time and was confirmed by modelling undertaken by Access Economics in 2009.

Insofar as the current review has any findings on the impact of the national quality framework on fees, that will be addressed when the review I referred to in my previous answer is finalised and the results released after Commonwealth and state ministers have considered the review later this year.

Senator LEYONHJELM (New South Wales) (14:40): Mr President, I ask a further supplementary question. Do you agree that government childcare subsidies partly benefit childcare providers and partly benefit childcare customers? If you do agree, what proportion of the proposed increase in childcare subsidies is likely to flow to providers instead of customers; if you do not agree, could you explain the economics behind such a view?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:40): The government's $3.5 billion childcare package will provide greater choice for more than 1.2 million families by delivering a simpler, more affordable, more flexible and more accessible system. Changing the way we make child care more accessible and affordable is necessary to help families adjust to these changes and set them up for the future. More affordable access to quality child care puts the opportunity of work within the reach of more families, an outcome I know senators of all persuasions would support. The objective of the new childcare subsidy is to benefit parents who want to work, or work more, by providing more affordable and accessible child care. The childcare subsidy is a support payment for families—
The PRESIDENT: Pause the clock.

Senator Leyonhjelm: Mr President, I rise on a point of order on relevance. The question was: what proportion of the proposed increase in childcare subsidies is likely to flow to providers instead of customers?

The PRESIDENT: Thank you, Senator Leyonhjelm. Senator Fifield, I remind you you have 21 seconds left in which to answer the question.

Senator FIFIELD: Relating directly to Senator Leyonhjelm's question, the childcare subsidy is a support payment for families based on their incomes. It will be paid directly to approved childcare providers on behalf of families, to reduce the fees families have to pay. This administrative arrangement will be simpler for both families and childcare providers. (Time expired)

Senator Cameron interjecting—

The PRESIDENT: Order! Senator Cameron, you have a colleague on her feet waiting to ask a question.

Senator Cameron interjecting—

The PRESIDENT: Order, Senator Cameron!

Budget

Senator O'NEILL (New South Wales) (14:42): My question is to Senator Nash, the Minister representing the Minister for Health. I refer to the Prime Minister's statement earlier today:

We made certain commitments in last year's budget and those commitments carry over into this year's budget.

Can the minister confirm that the Abbott government has locked in $60 billion worth of cuts to health and hospitals over the next decade?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:42): What I can confirm is that this is a fair, measured and responsible budget. What I can confirm is that this is a budget that is going to lead people to jobs and prosperity. What I can confirm is that this is a budget that is going to give people hope for the future and it is going to give them a positive way forward, across this country, unlike previous Labor budgets that we have seen in the past.

I might refer those opposite to Budget Paper No. 1. Those opposite may not have noticed yet, but overall the health budget increases year on year—indeed, to more than $7.6 billion over the forward estimates. And isn't it ironic that it is those on the other side, including the failed former finance minister, that are responsible—

The PRESIDENT: Pause the clock.

Senator Moore: Mr President, I rise on a point of order going to direct relevance. The question asked for confirmation of whether $60 billion worth of cuts to health and hospitals over the next decade are locked in—not the general background to the budget, not the general health budget, but the cuts of $60 billion.

The PRESIDENT: The minister was responding in terms of Budget Paper No. 1, which addresses some of the detail. Minister, you have the call.
**Senator NASH**: Thank you, Mr President. Indeed, I was getting to that part of my answer before I was interrupted by those on the other side. As the senator mentioned, the 10-year funding outlook from the Labor government was absolutely made-up money. It never existed; it was never there. They are talking about cuts from money that they were never going to deliver, and they were never going to deliver it because they left us a trajectory of $667 billion worth of debt. That is money we were never going to get to. That is why we focus on making sure that we address the positives. In the forward estimates from this government, overall, the total budget for health funding is going to increase—$7.6 billion.

**Senator O'NEILL** (New South Wales) (14:45): Mr President, I ask a supplementary question. Can the minister confirm that a further $2 billion has been cut from health, including from preventative health care, drug and alcohol rehabilitation, and mental health services? Which specific services will be cut?

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:46): Again I reiterate that this is a fair, responsible and measured budget. In relation to the senator's question, we have made sensible decisions that do two things: they move to fix the economic mess that the previous Labor government left us, at the same time ensuring better health outcomes for the Australian people. Now, those on the other side know it.

**The PRESIDENT**: Pause the clock.

**Senator Moore**: Mr President, I raise a point of order on direct relevance. I hate to interrupt the minister, but we would like to know which specific services will be cut. That was the question.

**The PRESIDENT**: Thank you, Senator Moore. I remind the minister that she has 29 seconds in which to answer the question.

**Senator NASH**: I can inform those on the other side that we will be making decisions about that program that deliver better services and better outcomes to the Australian people, because it is this side of the chamber that realises that a bucket of money does not deliver outcomes; it is about targeted actual program delivery. Those on the other side do not care about outcomes.

**The PRESIDENT**: Pause the clock.

**Senator Moore**: Mr President, on a point of order: we have almost three seconds left. I was wondering whether we could get to any of the services that will be cut.

**The PRESIDENT**: Thank you, Senator Moore. I will remind the minister of the nature of the question. Minister, you have three seconds in which to conclude your answer. Minister.

**Senator NASH**: I have concluded, thank you, Mr President.

**Senator O'NEILL** (New South Wales) (14:47): Mr President, I ask a final supplementary question. Can the minister advise the Senate how much has been cut from the Rural Health Outreach Fund? Which services to rural and regional Australia will be affected?

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:47): As I have said from the outset, this budget is about ensuring we have better outcomes for health, and that includes for rural and regional areas. Indeed, isn't it interesting that those on the other side continue to be negative? You never hear
a positive word from them. They are not asking about the positive things that are happening in regional areas—

The PRESIDENT: Pause the clock.

Senator Wong: Mr President, I raise a point of order going to direct relevance. The minister was asked a simple question of detail about what was in the budget: how much has been cut from the Rural Health Outreach Fund and which services will be affected? It is a straight question. I would ask you to ask her to be relevant to the question.

The PRESIDENT: Thank you, Senator Wong. I will indicate that the minister has only just commenced her answer. Minister, I remind you of the question. Minister.

Senator NASH: One of the things that this side of the chamber is focused on is ensuring better outcomes for rural and regional. But, as I was saying, those on the other side are totally focused on the negatives, not the positives. You do not hear them talking about the $20 million for the Royal Flying Doctor Service. You do not hear them talking about the millions of funding for telehealth—those people out in our rural communities—

The PRESIDENT: Pause the clock.

Senator O'Neill: Mr President, I raise a point of order, again on relevance. Which services to rural and regional Australia will be affected with the cutting of the Rural Health Outreach Fund? It is a very straightforward and simple question.

The PRESIDENT: Thank you, Senator O'Neill. I remind the minister that she has 14 seconds in which to answer the question. Minister.

Senator NASH: It is this government that is going to do a much better job of delivering services to rural and regional health.

The PRESIDENT: Pause the clock.

Senator Wong: Mr President, I raise a point of order which goes to direct relevance. This minister is defying you, Mr President. You have drawn her to the question I think three times and she has not even got close to it. If she does not know the answer, she should take it on notice and sit down.

The PRESIDENT: Thank you, Senator Wong. Senator Wong, only three seconds had expired between the last point of order and the minister taking the answer again. I did remind the minister. The minister has nine seconds in which to answer the question. Minister.

Senator NASH: The irony of the former failed finance minister taking a point of order, criticising this government for fixing her mess, is extraordinary. (Time expired)

Beef Industry

Senator CANAVAN (Queensland) (14:50): My question is to the Minister for Indigenous Affairs, Senator Scullion, representing the Minister for Agriculture. Can the minister update the Senate on what additional support the government, and in particular the government in this budget, is providing for infrastructure to underpin the beef industry, particularly in northern Australia?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:50): The Prime Minister travelled to the Beef Australia exposition in Rockhampton last Friday and announced another commitment to the Australian
beef industry, this time in the form of some $100 million to improve road infrastructure critical to the beef industry supply chains in northern Australia. This announcement goes to the heart of the government's commitment to realising the potential of this vital industry, helping it to grow into the future. Transporting cattle can often make up a significant percentage of the market price of livestock, so it is imperative that we improve the productivity and resilience of the industry supply chains.

Additionally, we have announced some $70 million to enable primary producers to claim more favourable accelerated depreciation for water facilities, fodder assets and fencing. For farmers doing it tough, we have also provided the benefit of being able to access further concessional loans above the $270 million already lent out. An additional $250 million has already been made available for the next 12 months at 3.84 per cent and at 3.21 per cent.

We have also committed $20 million for social support and mental health support—as Mr Joyce highlights, this is in recognition that the people on the land are our most important asset and we must always look after them. On top of this is the further recent announcement of the $35 million stimulus package for the communities at the epicentre of the current drought—a further 25 million on top of the 8.5 million already allocated for pest control for pests such as wild dogs and pigs. These measures are part of the $333 million drought package announced by the Prime Minister, the Deputy Prime Minister, and the Minister for Agriculture at Longreach on the weekend.

**Senator CANAVAN** (Queensland) (14:52): Mr President, I ask a supplementary question. Can the minister outline to the Senate how the government's policies are assisting to boost the profitability of the beef industry as a whole, and how they are assisting to deliver a better return at the farm gate for Australian producers?

**Senator SCULLION** (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:53): Mr President, I am pleased to inform the Senate that this government's policies are underpinning the capacity of the Australian beef industry to reach its full potential. This is an $8.5 billion industry, and the contribution it makes to the national economy is truly fundamental to the prosperity of our nation. Since coming to office, we have negotiated extremely favourable free trade agreements with Korea, Japan and China. We have opened six new markets for our live animal exports, and there will be more to come. This is good news for producers. Mr President, with confidence I can assure the Senate that this government will have a further substantial policy contribution, both to the beef industry and to agriculture more broadly, with the implementation and release of the agricultural competitiveness white paper.

**Senator CANAVAN** (Queensland) (14:54): Mr President, I ask a further supplementary question. Can the minister update the Senate on Beef Australia 2015, held last week in Australia's beef capital, the great Central Queensland town of Rockhampton, and the coalition government's role in supporting this event?

**Senator SCULLION** (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:54): I know the honourable senator and I thank him for his question. I note his specific interest in this important event, given that his home base is, in fact, the beef capital of Rockhampton. Congratulations must go to the organisers of last week's Beef Australia 2015—to its Chairman, Blair Angus, and CEO, Denis Cox, to their team and to the hundreds if not thousands of volunteers that made this event a true celebration
of the quality and integrity of our nation's beef industry. The Minister for Agriculture has highlighted that the government has been extremely proud to fulfil its $2.75 million commitment to this celebration of steak. I am reliably informed that the steak was in fact something worth celebrating! Over 90,000 people attended this year's event, with 1,100 international delegates from over 50 countries in attendance and some 4,300 entries for stud and commercial cattle competitions. The success of this event is proof that the coalition government is committed to supporting initiatives that promote our nation's clean green product. *(Time expired)*

**Budget**

**Senator STERLE** (Western Australia) (14:55): My question is to the Minister for Veterans' Affairs, Senator Ronaldson. Minister, I refer you to page 180 of your Budget Paper No. 2, which shows a cut of $70 million from veterans' dental and allied health services. Minister, can you advise which dental services for Australian veterans will be affected by this $70 million cut?

**Senator RONALDSON** (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:56): I thank Senator Sterle for his question. I assume that what he is talking about is—

**Senator Conroy:** Is the budget.

**The PRESIDENT:** Senator Conroy!

**Senator RONALDSON:** the fact that the freeze on indexation will continue and has been extended. But it does give me the opportunity to talk about—

**Senator Kim Carr:** What about answering the question?

**Senator RONALDSON:** I have answered the question. It gives me the opportunity to talk about veterans' affairs and to talk about what was done in the budget. What I will say is that this budget delivers $12.1 billion for Australia's veterans. And when I hear those on the other side asking questions about veterans—

**Opposition senators interjecting**—

**Senator RONALDSON:** and making comments across the chamber, I will remind you again that the Australian Labor Party did not take a veterans' affairs policy to the last election.

**Senator Moore:** Mr President, I rise on a point of order. It is on direct relevance. We have asked a question and the question was about the dental services for Australian veterans. Could the minister explain that part of the budget to us?

**The PRESIDENT:** Thank you, Senator. I did hear the minister say, 'I assume that is referring to indexation.' I do not know whether that forms part of the answer or not but I will give the minister the opportunity to continue his answer—one minute and three seconds. Minister.

**Senator RONALDSON:** Thank you, Mr President; I have already answered the question. If you look at the budget paper, you will see it is in relation to an indexation pause for dental and allied health provider fees.

As I was saying, the Australian Labor Party did not take a policy to the last election—what we are doing is this $12.1 billion in relation to this portfolio. And I look at what has happened
in relation to support for veterans: some $40,650 per veteran, which is an increase. Under the Australian Labor Party, there was a decline of three per cent per—

The PRESIDENT: Pause the clock. Senator Moore.

Senator Moore: Mr President, I rise on a point of order. The direct question—

Opposition senators interjecting—

The PRESIDENT: Order, on my left!

Senator Moore: Mr President, if we could get back to the direct question, it would be useful.

The PRESIDENT: Minister, I remind you of the question. You have 27 seconds in which to answer.

Senator RONALDSON: I am not entirely sure what you do not understand about the indexation pause, Senator Sterle. It is in the budget papers: 'there is an extension of the indexation pause'. Read the papers and have a look—not cuts to services, but an indexation pause.

As I was saying before about this fantastic budget, Mr President, we are addressing some of those key issues asked for by the veterans community. In particular—

(Time expired)

Senator STERLE (Western Australia) (14:59): Mr President, I ask a supplementary question. My goodness me! Minister, could you further advise us how many veterans will be affected and what allied health services they will lose as a result of this—regardless of how you want to frame it—$70 million cut?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:59): I am not entirely sure what Senator Sterle was doing last night, but I was reading the budget papers. He will see from those that, indeed, this is an indexation pause. He clearly does not understand what is in the budget—and that is the trouble sometimes: when you are given a question and you blindly read it out, not having an iota of understanding about what is in the budget, then you get to ask really silly questions like this.

The PRESIDENT: Pause the clock. Order, on my left. Your leader is on her feet seeking the call.

Senator Wong: Mr President, my point of order is on direct relevance. This Minister for Veterans' Affairs is being asked by Senator Sterle how many veterans will be affected by the budget measure at page 180 of Budget Paper No. 2. I think he should be asked to return to the answer to that question.

The PRESIDENT: Thank you, Senator Wong. Minister, I do remind you of the question. You have 33 seconds in which to answer.

Senator RONALDSON: It is very hard to give an answer to a nonsensical question; I am not going to do so. What I have said earlier on is: there is an indexation pause in the money paid to these allied professionals. This is not about the numbers of people—

Senator Wong: Have you read this? 69.6—
Senator RONALDSON: Well, read the thing. No wonder you left this country in such a parlous state—the worst finance minister Australia has had. This is an indexation pause. Go back and do your homework, have a look at it and then ask me another question.

Senator STERLE (Western Australia) (15:01): Mr President, I ask a further supplementary question. Minister, doesn't this $70 million cut to veterans health services just build on last year's unfair budget, which scrapped the $900 seniors supplement for veterans, axed three months of backdating for veterans disability pensions and closed veterans access network offices?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (15:02): Can I just again reinforce for Senator Sterle—and I will say it really slowly—this is a pause in indexation. Senator Sterle would know, if he bothered to look at it, that this is a pause in indexation payment. Go and have a look at it.

I want to talk specifically, in the time left to me, in relation to the $10 million which is going into the dedicated case coordination unit. We are absolutely determined to ensure that we put in place, Senator Sterle, some early intervention measures, which are going to address the complex needs of contemporary veterans. That is why $10 million extra has gone into this case coordination, so we can start to meet the needs of these— (Time expired)

Senator Brandis: Mr President, I ask that further questions be placed on notice.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Answers to Questions

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

That the Senate take note of the answers given by ministers to questions without notice asked by opposition senators today.

Before I start, I want to touch on one part of today's question time, when Minister Scullion was asked questions by Senator Canavan about the beef industry. I think it should be noted that, I think, about $100 million or $120 million is going into beef roads for upgrades. That is very, very important—I admit that—but I find it the height of hypocrisy for it to be coming from the government, because not long ago the hardworking Rural and Regional Affairs and Transport References Committee ably supported me as the chair and my good mate Senator Bullock as an ongoing—

The DEPUTY PRESIDENT: Senator Sterle, the motion before—

Senator STERLE: I am going to get there, Mr Deputy President, but I have to clarify some misleading information from the government.

The DEPUTY PRESIDENT: That is not actually the question before the chair, so, as cooperative as I am, please come back to the question before us.

Senator STERLE: Okay, let's talk about some of the measures in the budget—and I did refer to $100 million in the budget to beef roads. If you listened to that mob over there, you would think that they gave a damn about the beef industry. With the greatest of respect, the red meat industry would love to have some answers from the minister. Minister Joyce has gone missing in action, through you, Mr Deputy President. If he did give a fat rat's backside about the industry, he would at least have the decency to come back and address their
concerns. They have asked for a lousy $4 million of assistance to keep this great industry afloat and they want to talk about best returns to the farm gate. Senator Canavan knows where I am coming from. Senator Canavan has absolutely no doubt where I am coming from. If they did care about the beef industry, which is worth $8.6 billion, they would talk about the real issues of how the industry have put forward a proposal to save themselves, with not a mention of it in the budget.

The DEPUTY PRESIDENT: Senator Sterle, I do need to bring you back to the motion before the chair.

Senator STERLE: There is not a mention in the budget about that.

Mr Deputy President, regarding the budget, what a calamitous issue we have here. It was only 18 months ago when we had Mr Abbott and Mr Hockey, ably backed up by all the now government senators and members, telling us about some fiscal crisis we had and how they were the only ones who could fix it. They said they would fix this budget emergency not only by toughening up on, in their terms, too much spending or wastage but by making absolutely no cuts anywhere. We even had Minister Cormann, when asked a question by Senator Wong today about how many new taxes there would be, blatantly sit there and say, 'Absolutely none.' I cannot believe that the Australian people think that that mob over there can be believed. How do they think that they can fool the Australian public for another year?

With their big, tough talk and all the action and what they were going to do, we do not have a fiscal crisis; we have a spending crisis. We have a crisis from that mob over there, who have absolutely no idea. They went to the election and the now Prime Minister, Mr Abbott, clearly stated there would be no cuts to certain areas. He clearly stated on more than one occasion—through every media outlet he could get his face on—that there would be no cuts to spending, no cuts to education, no cuts to the ABC and no cuts to pensions. What a disaster. We are at budget No. 2 for Mr Hockey.

The commentators are clearly saying this is not a budget about what is in the best interests of the nation, this is not a budget about what is in the best interests of the Australian people or the future for Australia's kids, this is about two people. I will quote from some media sources who I would not call raving-mad lefties. One is none other than Mr van Onselen. I do respect and enjoy listening to Mr van Onselen, but he is not one of my mob. He is not a leftie, I can tell you. When I say 'leftie' I mean left of centre. In today's The Australian, on page 13—and this is friendly fire—he said: 'Hockey is delusional that reform is underway; however, I saw him utter the following words last night ….' He quotes Mr Hockey:

... the economic plan laid down by this government more than a year ago, is in place and it is helping us to deal with these challenges.

Mr Van Onselen goes on to say: 'How? By osmosis? That plan included the shelved Medicare co-payment, dumped changes to pension indexation, a higher-education package twice blocked by the Senate and family tax benefit cutbacks yet to be passed.' He went on to say: 'An economic plan already in place? He must be joking.'

This is not Labor people saying this, these are right-wing media people. He goes on to say—and I agree with every single word—'No wonder Costello thinks they have become a morbid joke.' He is talking about the opposition. The sad part is that there are two jobs on the
line: Mr Abbott's, the Prime Minister, and Mr Hockey's, the Treasurer. How long will they last? God help us, but hopefully we will find out sooner rather than later.

Senator CANAVAN (Queensland) (15:09): I am a bit confused, because I do not think the opposition know where they are heading with this budget. They do not particularly want to talk about last night's budget; they want to talk about last year's budget. That is fine if they want to do that, because we absolutely recognise and stand behind the fact that we did need to make tough decisions last year. We did need to make some difficult and necessary choices for the Australian people because the path we were on was completely unsustainable. Those decisions were made.

The opposition want to talk about last year's budget because that is in their political interest. There were very few questions today in question time about last night's budget, because last night's budget builds on those tough decisions we made last year and allows the Australian people to start reaping the dividends of those tough choices. You are never able to deliver success in life before you do hard work. The only place in the world where success comes before work is in the dictionary. We had to do the hard work last year before we delivered success to the Australian people.

I am confident that last night's budget will build confidence in our economy, particularly among small businesses and farmers. They will then have the confidence to invest and create the jobs and opportunity that only they can create. We cannot do that here, unfortunately. As much power as we think we have, we cannot wave a magic wand and make people have a job and opportunity. We must rely on the individual enterprise of all Australians to bring that about. Last night's budget will help achieve that.

Last night's budget enshrines the fact that taxes will be lower under a coalition government, and that will create more opportunity and confidence in our business sector. Under the previous government, revenue as a percentage of GDP was escalating, going through the roof. You will not hear the opposition talk about it. What you need to look at is not the Labor Party's last budget but the pre-election forecasts done by Treasury and Finance. When you look at the independent numbers that were done before the election, our revenue to GDP was going through the roof, because they came to government when our taxes or revenue to GDP were just 23.3 per cent of GDP. By the election, it had escalated or had gone down and then back up. Under the pre-election forecasts, our taxes to GDP were going to rise to 23.9 per cent of GDP, then to 24.6 per cent of GDP and then finally, in the last year of those forward estimates, 2015-16, to 24.8 per cent of GDP.

Every one of those numbers is now lower. In that final year, the revenue to GDP was 24.2 per cent of GDP, then 24 the previous year and then 23.5.

Senator O'Neill: You've killed off confidence; it's gone through the floor. You're going to 25.8!

Senator CANAVAN: What they do not quite understand on the other side is that when your economy grows you get higher taxes to GDP. We had a weak economy under the former government, and that is why taxes to GDP fell precipitously in their first years of government. They had plans, in similar years to us, to increase taxes to GDP. If you compare year to year, and that is the appropriate comparison, taxes are now lower under a coalition government than they would have been under a Labor government. They wanted to hit our wealth-
producing industries with a carbon tax and a mining tax and put jobs at risk across the whole economy. We are serious in this government.

I want to take up some of the points that Senator Sterle raised. It is about last year's budget—which they continue to want to talk about. We are serious about achieving serious reform of our spending system. So much of our spending goes towards health and education, but we are on an unsustainable path in growth of those particular spending initiatives. I do not know if the Labor Party reads the budget papers, but on page five of 23 the budget paper states that we spend around $18 billion a year on public hospitals. It is growing at somewhere between six and seven per cent a year at the moment. If that rate of growth continues for 40 years, hospital spending alone will take a third to 50 per cent, depending on how you measure it, of our Commonwealth budget. We cannot do that; it would be absurd.

Somebody has to be serious here. Some serious people have to sit down and work out how we can deliver the great hospital services we have in this nation affordably. We are the party that is about serious discussions in our nation, about how we can grow jobs and opportunity and a sustainable Public Service. The other side simply wants to oppose. We cannot return to that path.

Senator O'Neill (New South Wales) (15:14): I am pleased to speak on this day after the disastrous budget this government has brought down. What a budget of deception, continuing the terrible form that we saw from them last year. While promising less tax and fewer taxes they have delivered 17 new taxes. Minister Cormann had the gall to stand up in this place today and bald-facedly say zero. I will mention just two, because I do not want to spend too much time on it.

There is a new import tax—cost-recovery for licensing import processing. There is a new citizenship tax—cost-recovery for citizenship and increased visa application charges. Those are just two of the 17 that it seems the Minister for Finance has forgotten he okayed in the new budget. They promised less debt and what they delivered in this budget is $12.5 billion of new debt. They have done so much damage to economic and business confidence since they got into government. They have driven confidence through the floor, they have driven unemployment through the roof and they have managed in one year to double the deficit, from $17 billion to $35 billion, yet they continue to stand there and pretend they are great economic managers.

Senator Canavan says we want to talk about last year's budget. We do, because they want everybody to forget that they have still got those savings that they wanted to bank from last year. One-hundred-thousand-dollar degrees remain in their budget calculations; $57 billion in cuts from last year remain in their budget; $30 billion in cuts to education remain. The budget this year retains the very same stench of unfairness that every Australian detected when the government put their budget out last year as well. It is clear that Mr Abbott has simply not learnt from last year's budget. This is the same style. It oozes unfairness. It operates like this government: on a platform of unfairness and misrepresentation.

With regard to health and the appalling attempt at not answering the question that we saw from the minister today, we are seeing a government that simply does not understand the investment in health that is the right of Australians. Last night, in addition to the $57 billion that they cut out last year, they added another $2 billion. Just last weekend, the health minister was promising Australia that the Abbott government would sink its teeth into dental reform,
promising $200 million in spending, but the only thing that we can see in this budget that the minister has sunk her teeth into is Australian kids—stealing $125.6 million out of the next four years from Labor's scheme that provided millions of children with dental care through Medicare. That is what is wrong with this government. Look at the policy that they choose to inflicts on the nation. They take to children's dental health and they take $125 million out of it. It is a budget that is short-sighted in so many ways. It threatens the future of Australia's health system and it entrenches the fundamental unfairness of this government's very first disastrous budget.

Close to $1 billion is going to be cut from programs that fund preventative health care, drug and alcohol rehabilitation, and mental health and other crucial health programs. Literally thousands of organisations around the country that do vital work, caring for Australia's most at risk and vulnerable people, will be left reeling from this further assault on their core funding. What have they cut overnight that they want to run away from and hide from? I mentioned the $125 million from the Child Dental Benefits Schedule. There is $144.6 million from the MBS. There is the appalling response we had from the Minister for Veterans' Affairs. He did not even seem to know that he had cut $70 million from the Department of Veterans' Affairs dental and allied health payments. There is $214 million from e-health and not a single dollar is allocated beyond 2018. There is a bit of a pattern. This government seems to have funded a few things for two years. The science that underpins the policymaking that leads to preventative health does not end in two years. Programs that deserve funding should be funded into the long term. They have cut $252 million from PBS listed drugs. They have cut $72.5 million from health workforce scholarships, wrecking the very fabric of prevention and good health. This Abbott government has gutted Medicare since coming to office. The budget that we saw last night inflicts further damage. The GP tax, no matter what they say, remains. It is just thinly veiled in a freeze on indexation. As every day passes, the people of Australia are seeing more and more. This government cannot be trusted and they have slashed the opportunities for Australia with this budget. (Time expired)

**Senator McGrath** (Queensland) (15:19): I probably should remind the Labor Party that we inherited a deficit of $48 billion and the deficit for this budget year is going to be $35 billion, and it is forecast to reduce each year to below $7 billion over the next four years. This is because the coalition—the Liberal Party and the National Party—are careful economic managers. But on the other side we have the Labor Party, led by Bill Shorten. We are almost halfway through Bill Shorten's year of big ideas. So far his only big ideas have been taxes. Bill Shorten should be careful about Tanya Plibersek's big idea, and that is that she is going to become the leader. So I would suggest to the Leader of the Opposition that the Labor Party response to this budget has been all about saving Bill Shorten's job, because Bill Shorten is on thin ice because the Deputy Leader of the Labor Party is circling. She is circling. She is like one of those—

**The DEPUTY PRESIDENT:** Senator McGrath, I generally do let a few instances of referring to people by their incorrect titles go if it is in the run, but—

**Senator McGrath:** Okay. The Leader of the Opposition is being circled by the Deputy Leader of the Opposition. I do apologise, Mr Deputy President. If I were the Leader of the Opposition, I would be certainly locking the Leader of the Opposition's office because the deputy leader is certainly on the war path. This is a great budget for Australia and it is
particularly a great budget for small business. I should remind the Labor Party about small businesses, because they do not know what a BAS is. They think BAS is something on the radio dial in their cars. This is a budget for small businesses across Australia, because small businesses are the engine of the Australian economy, and this budget has done fantastic things to grow the small business economy. We should support that.

Senator Conroy interjecting—

Senator McGrath: I am being shouted down by the deputy leader of the Labor Party in the Senate, who has no experience with small businesses. He is probably very good at turning large businesses into small businesses, in terms of when Labor are in power. Through you, Mr Deputy President: that is his experience of small businesses.

Senator Conroy: Why did you leave the UK? Why did Boris sack you?

Senator McGrath: I would love to talk about the UK. Let's talk about the UK. Let's look at what happened to Labour in the UK. Let's talk about a Conservative party that had a strong deputy leader and a strong leader. I am happy to talk about the UK until the cows come home and they are milked by the dairy farmers of the Sunshine Coast. I am more than happy to do that.

The Deputy President: Order! Senator McGrath, just resume your seat for a moment. I think there has been enough interjection, and I will ask for that to cease. Senator McGrath, please come back to the question before the chair.

Senator McGrath: I will certainly come back to talking about the budget and talking about some of the wonderful measures that will help small businesses in Australia recover from six years of Labor government. In particular, I want to talk about the tax cut that small businesses are going to receive—a 1½ percent tax cut. I think that is fantastic for small businesses. I hope that those opposite in the Labor Party do not oppose this wonderful tax cut. The Liberal Party and the National Party are the parties of lower taxes, and we should be proud of that. Through you, Mr Deputy President, I would love the Labor Party senators to come across and support the lowering of taxes for small businesses.

Also, I want to talk about the ability to deduct assets up to $20,000 from 7.30pm last night. I have a lot of friends in small business and I know that already, last night and today, they have been out looking at what they are going to buy. I think that is a wonderful boost for the economy—in terms of what small businesses can buy, products up to $20,000, to push and grow the economy. I hope that those opposite will also support that. It is a wonderful measure for small businesses in terms of what small businesses can do to grow Australia.

The other thing the budget will do is help everyday Australians to access jobs. Sadly, in some parts of Queensland youth unemployment is still too high. I think we should all come together to work out what we can do to grow the job market in Australia. There is going to be a $1.2 billion national wage subsidy pool to target long-term unemployment. I think that is fantastic. Employers will receive the subsidy from the time they are starting a job, when hiring—when training costs are greatest—rather than waiting six months or more. This will ensure wage subsidies are more effective. This includes reforms to Restart. It will make it easier for small businesses to receive government support sooner when they employ older workers. (Time expired)
Senator BULLOCK (Western Australia) (15:24): I have not had the opportunity to come fully to terms with all of the details contained in last night’s budget, but at first glance it seems that Treasurer Hockey’s second budget is on the up and up—spending up, deficit up, debt up. The government has given up. And, for them, the game is up. The bad news is that the budgetary position which Labor will inherit after the next election will be far worse than that bequeathed to the Liberals. While the deficit which this government confronted upon attaining office was the legacy of the heroic efforts of Wayne Swan in saving this country from the ravages of the global financial crisis, the deficit which we will inherit will simply be a tribute to this government’s ineptitude and its lack of vision for Australia’s future.

The most telling commentary on this budget is the cartoon in today’s Australian of the artist Joe Hockey standing in front of a blank canvas entitled ‘Reform’. In this budget, reform is missing. Policy is missing. But, remarkably, also missing is the debt and deficit disaster about which those opposite have been moaning non-stop since I arrived here. Magically, as the spending debt and deficit of this government rises and rises under its watch, talk of a deficit problem has disappeared. It would be no surprise if the next thing to disappear was our AAA credit rating—another gift of Labor to this government.

Today, all the talk is about trajectory. All I can see is a trajectory under this government leading straight downhill. This is a budget that is devoid of a vision and will take Australia nowhere. John Daley of the Grattan Institute is quoted as saying that ‘This is a budget that relies on a drift back to surplus’, relying on the economy growing as rosily as it predicts. The only credible path charted by this budget is a credible path for higher taxes, with the income tax bill on working people set to rise by 33 per cent between now and 2018-19. Income tax receipts will rise by seven per cent per annum over a period during which wages are forecast to rise by 2½ to three per cent per annum. This burden of higher taxes will particularly be felt by the 1.3 million workers earning between $30,000 and $37,000 a year, who will see their marginal tax rate jump by 14 per cent. These are my people: young full-time job assistants and senior part-timers; people with little money to spare who will be forced by bracket creep to do more than their fair share of heavy lifting to rescue the government from deficit. Once again, this government is placing the burden of budget repair on those who can least afford it.

While their fundamental unfair bias remains unaltered, instead of a full frontal attack this year’s budget mounts a more insidious attack by stealth, creeping deeper into the pockets of working people.

If the government has bet its future on an income tax led recovery, it needs to factor in more income earners. Predictably, the budget conjures up increased employment. Unemployment is forecast to fall from 6½ to 5¼ per cent. Frankly, I think this number was inserted simply to make the tax receipt numbers stack up rather than being based on any realistic assessment of the economy’s capacity to grow employment. Significant employment growth from a government with no plan for jobs is baseless optimism. This is a government which destroyed our motor vehicle industry, a government with no plan for manufacturing, a government which cheers on attempts to reduce penalty rates and working conditions, a government in which the electorate can have no confidence when it comes to job creation. Their plan, such as it is, is to implement a small tax cut for small business, stand back, cross their fingers and hope. This may be a plan but it is only a plan to win the votes of small business people in what will prove to be a vain attempt to hold onto government.
Mr Deputy President, time is against me. I wanted to speak about the counterproductive disincentives to employers contributing to paid parental leave built into the government's long awaited but poorly executed paid parental leave plan. Instead, I will finish by referring to the fine assessment by my friend Senator Canavan of the government's linking of childcare funding to cuts to the family tax benefit. Senator Canavan said:

The system we are proposing massively penalises families where a parent stays home to look after children and we think it does not properly value the benefits of unpaid work.

I could not have said it better myself. A government that values people only in terms of their capacity to contribute through paid employment and cannot appreciate the value of the family— *(Time expired)*

Question agreed to.

**Budget**

*Senator WHISH-WILSON* (Tasmania) (15:29): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by the Leader of the Australian Greens (Senator Di Natale) today relating to the 2015-16 Budget.

I cannot help sometimes feeling cynical about politics, and I have been here for only three years. But I do say to many Australians: if you were not cynical about Australian politics yesterday, before the budget last night, you would be today. This is a government whose key plank of their budget for 2015 is a small business incentives package, $5.5 billion to help small business in this country—which I wholeheartedly agree with—after taking away $5.4 billion only 12 months ago from the very same sector.

I remember standing up here when we were debating the mining tax last year and saying, 'I bet my bottom dollar, London to a brick, that this government brings back almost the same package, dressed up, rebranded under the Liberal brand.' Well, that is what we got last night. And I must say, with one or two exceptions, I am incredibly disillusioned that the mainstream media has not even commented on this. There are all these stories out there about what a great small business package this is that the government has been delivering for small business. The best you could say is that we are back to square one.

The instant asset write-off: $20,000 only for two years. I am concerned that that is going to lead to rorting, and it is going to have very strict conditions on it to stop sole traders, partnerships and even proprietary limited companies from overspending or spending frivolously over those two-year periods.

And there are no loss carry back provisions as were in the previous mining and carbon packages. And that is the most important part of this, to me. That is, the small business package, under Labor and the Greens, which was brought in around the mineral resource rent tax package and the carbon package funded a package to small business from revenue raising by taxing the big end of town through superprofits and through polluting companies. So, tax the bads, tax the superprofits on resources that are owned by all Australians—that is economics 101—and change taxes on effort. In this case I do support a tax cut to small business. The Greens have been leading on this issue for small business. At the last election we wanted to see a two per cent tax cut to small business, but we wanted to see it funded by revenue-raisin...
package and on the big polluters, he brought the axe down on small business in this country. And what we have given them is nothing but uncertainty and cynical politics in the last two years.

Senator Cormann, in his response to Senator Di Natale, did say something that I totally agreed with. That is, he acknowledged that the Greens do have an economic plan. I will leave Labor to speak for themselves, but we do have an economic plan. We are very clearly led on how we can raise revenue in this country. We have talked about abolishing tax breaks for the big mining companies—$10 billion. We have talked about a coal levy—$2.3 billion. We have talked about taxing discretionary trusts—$3.6 billion. We have talked about a millionaire’s tax—$637 million. We have talked about removing super concessions—tens of billions of dollars. We have talked about removing negative gearing and a progressive tax on super—the hard stuff that needs to be done in this country. If we are truly going to have a fair tax system and if we do want to pay for small business, if we do want to pay for hospitals and if we do want to look after the sick and the elderly in this country, we have to make hard decisions. That is the strategy of the Greens, and we will continue to lead on that. We will continue to put our ideas out into the public.

But I want to pick up very quickly on one thing that I think I heard Senator Cormann say, and that is that the GDP growth assumptions in this budget will be underpinned by the free trade deals this government has signed. I intend to go away and have a closer look at the transcript, but I can tell you from the last estimates that I asked Treasury why they did not forecast free trade deals, and they basically shrugged their shoulders. They do not incorporate FTAs into their growth assumptions. I then asked DFAT why they do not share information with Treasury so that they can model these free trade deals, and DFAT more or less said, 'Well, there are probably no economic benefits’—because we have gone so far down this supposed trade liberalisation road. So, don't go claiming that your free trade deals—spruiking that you put $25 million into the budget—are somehow going to underpin phoney and overly optimistic growth forecasts. We need real revenue-raising—

(Time expired)

Question agreed to.

NOTICES

Presentation

Senator Bilyk to move:
That the Senate—
(a) notes that National Palliative Care Week runs from 24 May to 30 May 2015;
(b) encourages all Australians to use National Palliative Care Week to get together with those close to them, celebrate life and talk about death; and
(c) recognises that, as people are facing the end of life, particular questions to ask include: how they want to be cared for, what values are important to them, what types of medical assistance they want to receive, whether they wish to be buried or cremated, where they want to pass away, whether they have established a power of attorney, and whether they have considered writing an Advance Care Plan.

Senator Williams to move:
That the Senate notes—
(a) the Coalition Government was returned in New South Wales at the 28 March 2015 election;
(b) the intention of the New South Wales Coalition Government to introduce new biodiversity conservation legislation to remove barriers whilst maintaining environmental protections, and which will repeal the Native Vegetation Act, the Threatened Species Conservation Act and sections of the National Parks and Wildlife Act, and which will enhance food security for all Australians; and

(c) comments from NSW Farmers' Association President, Ms Fiona Simson, that the decision recognises that environmental outcomes and food production outcomes can in fact go hand-in-hand and do not have to result in perverse outcomes for farming practices.

Senator Whish-Wilson to move:

That the Senate—

(a) in regard to the operation of the FV Geelong Star in the Small Pelagic Fishery, notes:

(i) the Report of the Expert Panel on a Declared Commercial Fishing Activity - Final (Small Pelagic Fishery) Declaration 2012 which found mid-water trawling by large factory freezer vessels would negatively impact on protected species such as seals, dolphins and sea birds,

(ii) recent Australian Fisheries Management Authority reports that four dolphins and two fur seals were killed on both the first and second fishing trips of the FV Geelong Star, and

(iii) media comments by the Minister for the Environment (Mr Hunt) indicating that the dolphin deaths are unacceptable and outrageous; and

(b) calls on the Government to protect cetaceans (whales, dolphins and porpoises) in Australian waters.

Senator Xenophon to move:

That the following matter be referred to the Economics References Committee for inquiry and report by 12 November 2015:

The value, importance and impact of the iron ore price to the Australian economy, with specific reference to:

(a) the immediate and potential long term impact on Commonwealth consolidated revenues, state royalty incomes, and any interrelationship between the two;

(b) the actual and/or potential impact on competition in the iron ore sector;

(c) the actual and/or potential impact of any arrangements entered into by iron ore producers and/or their related entities relating to the production, marketing, transport or sale of iron ore;

(d) whether any legislative or regulatory measures are required to ensure healthy levels of competition; and

(e) any related matters.

Senator Siewert to move:

That the Senate calls on the Government to drop its ideological attack on young job seekers by withdrawing the budget measure that forces young people under 25 to wait one month before being able to access income support.

Senator Moore to move:

That the Senate notes that the Abbott Government's 2015 budget locks in cuts to health and education and delivers higher spending, taxes, deficits and unemployment.

Postponement

The following items of business were postponed:

General business notice of motion no. 709 standing in the name of the Chair of the Finance and Public Administration References Committee (Senator Gallagher) for today, proposing a variation to
the order for the production of documents relating to departmental and agency contracts, postponed till 14 May 2015.


MOTIONS

Committees

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:36): I 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 14 May 2015 and up to and including 4 June 2015 that contain substantive provisions commencing on or before 1 July 2015 (together with the provisions of any related bill), are referred to committees for inquiry and report by 15 June 2015.

(2) The committee to which each bill is referred shall be determined in accordance with the order of 13 November 2013, 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.

Question agreed to.

BUSINESS

Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:37): I move:

That consideration of the business before the Senate on Wednesday, 17 June 2015 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Gallagher to make her first speech without any question before the chair.

Question agreed to.

BILLS

Freedom of Information Amendment (Requests and Reasons) Bill 2015

First Reading

Senator LUDWIG (Queensland) (15:37): I move:

That the following bill be introduced: A Bill for an Act to amend the Freedom of Information Act 1982, and for related purposes—Freedom of Information Amendment (Requests and Reasons) Bill 2015.

Question agreed to.

Senator LUDWIG: I present the bill and 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) (15:38): I move:
That this bill be now read a second time.

Senator LUDWIG: I seek leave to table an explanatory memorandum relating to the bill and to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

I would like to thank the Senate for its consideration of my Private Senator's Bill.

In 2007 when the previous Labor Government was elected, we promised to put freedom of information at the core of our agenda to drive a shift to a pro-disclosure mode of governance. Labor went about changing the way in which freedom of information legislation was to be used in order to restore trust and integrity within government and enhance the public's right to know. Changes in the way that government and the public service operate can only be driven directly from the top. This creates a culture where we can advance governance in line with these goals. In government, I attempted to balance the Westminster convention, that governance requires some degree of confidentiality, and the very principles that underpin freedom of information. These two goals are not mutually exclusive; a strong FOI Act must seek to limit the release of certain information, to be balanced against a public interest threshold that favours disclosure. We did this when we were in Government and we will seek to further strengthen these principles in Opposition.

The Freedom of Information Amendment (Requests and Reasons) Bill 2015 seeks to amend the Freedom of Information Act 1982 (the FOI Act) to require government agencies and Ministers to publish the exact wording of freedom of information requests. It will also require government agencies and Ministers to publish a statement of reasons concerning their decision to allow, refuse or edit the release of requested documents.

A key objective of the FOI Act is to ensure that information about the "operations of departments and public authorities and, in particular, ensuring that rules and practices affecting members of the public in their dealings with departments and public authorities are readily available to persons affected by those rules and practices" is made available to the public.¹

The amendments contained in this Bill seek to solidify and advance these core principles which are enshrined within the Act. It facilitates more practical use of freedom of information requests and enhances the principles of accountability and efficiency.

The Bill will achieve the purposes of:

- ensuring transparency and accountability are included within the framework of government decisions concerning freedom of information requests;
- allowing the public to view requests that have been made and the reasons why documents were or were not released;
- allowing applicants seeking similar documents to build upon previous requests; and
- reducing the duplication of requests.

These purposes will be achieved in the following ways:

1. By inserting a new definition of "working day" in the Act to eliminate confusion concerning time frames for publishing information where they include weekends and location-specific public holidays.

2. Where access to a document has been granted, by removing the option that an agency or Minister may publish on a website mere details of how the information may be obtained. The Bill ensures that
information is available directly from an agency's or Minister's website, or a link on the website to another website where the information can be downloaded. This measure is designed to provide the public with easy access to documents released under the FOI Act.

3. Where an application is successful, by requiring an agency or Minister to publish the request and reasons for the decision before the end of 10 working days after the day the person is given access.

4. Where an application is successful, but documents are edited, by requiring an agency or Minister to publish the request and the notice under subsection 22(3) within 10 working days after the day the decision is made. Subsection 22(3) requires the agency or Minister to give the applicant notice in writing that an edited copy of the document has been prepared, the grounds for the deletions, and whether any matter has been deleted because it would cause the document to be exempt under the Act. If an applicant requests that a notice be given under section 22(4), the agency or Minister must publish the notice given in accordance with section 26 within 10 working days after the notice is given.

5. Where an application is unsuccessful, by requiring an agency or Minister to publish the request within 10 working days after the day the decision is made and the notice given in accordance with section 26 within 10 working days after the notice is given. A notice given in accordance with section 26 must, among other things, state findings on material questions of fact and the reasons for the decision, state the name and designation of the person giving the decision, and inform the applicant of their rights to review and complaint.

6. The Bill also requires the agency or Minister to publish the requests, reasons or notice on a website, without charge, by making them available for download, or publishing a link on the website where the information is available.

The Bill also seeks to protect the privacy of individuals by requiring that certain information be removed. Examples of information that may be removed include personal information, information about the business, commercial, financial or professional affairs of a person, or information that would be unreasonable to publish. Further, the Bill requires information to be removed if the Information Commissioner determines that it would be unreasonable to publish that information.

This Bill seeks to promote the core tenets of transparency and accountability within government decisions.

I commend the Bill to the Senate.

1 Secrecy Laws and Open Government in Australia (ALRC report 112).

Senator LUDWIG: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

COMMITTEES

Economics References Committee

Reference

Senator BERNARDI (South Australia) (15:38): I move:

That the following matters be referred to the Economics References Committee for inquiry and report by 30 November 2015:

(a) the extent of food certification schemes and certifiers in Australia including, but not limited to, schemes related to organic, kosher, halal and genetically modified food and general food safety certification schemes;
(b) current labelling requirements of food certification schemes;
(c) the need for labelling on products produced by companies that pay certification fees;
(d) whether current schemes provide enough information for Australian consumers to make informed purchasing decisions;
(e) details regarding certification fees paid by food producers and/or manufacturers, and the potential for these to impact on prices for consumers;
(f) the importance of food certification schemes in relation to export market access and returns to producers;
(g) the extent and adequacy of information available to the public about certifiers including, but not limited to, certification processes, fees and financial records; and
(h) any related matters.

**The PRESIDENT:** The question is that the motion be agreed to.
The Senate divided. [15:43]

(The President—Senator Parry)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>34</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noes</td>
<td>30</td>
</tr>
<tr>
<td>Majority</td>
<td>4</td>
</tr>
</tbody>
</table>

**AYES**

Back, CJ
Birmingham, SJ
Canavan, M.J.
Colbeck, R
Edwards, S
Fieravanti-Wells, C
Heffernan, W
Lambie, J
Leyonhjelm, DE
McGrath, J
Muir, R
O'Sullivan, B
Payne, MA
Ronaldson, M
Ryan, SM
Seselja, Z
Smith, D

Bernardi, C
Bushby, DC (teller)
Cash, MC
Day, R.J.
Fawcett, DJ
Fifield, MP
Johnston, D
Lazarus, GP
Madigan, JJ
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Ruston, A
Scullion, NG
Sinodinos, A
Williams, JR

**NOES**

Bilyk, CL
Cameron, DN
Collins, JMA
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lines, S
Ludwig, JW
McEwen, A (teller)
Milne, C
O'Neill, DM
Polley, H
Rice, J
Singh, LM

Bullock, J.W.
Carr, KJ
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Ludlam, S
McAllister, J
McLucas, J
Moore, CM
Peris, N
Rhiannon, L
Siewert, R
Waters, LJ
Senator Sterle did not vote, to compensate for the vacancy caused by the resignation of Senator Mason
Question agreed to.

MOTIONS

Housing Affordability

Senator DAY (South Australia) (15:46): I, and also on behalf of Senators Leyonhjelm, Back, Canavan, Williams, Bernardi, Madigan, O’Sullivan and McKenzie, move:

That the Senate—

(a) questions the restriction of land for new housing and subsequent pricing policies by state and territory land management agencies; and

(b) highlights the constraints on land supply which are the principal causes of worsening housing affordability.

Senator McLUCAS (Queensland) (15:46): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McLUCAS: The opposition cannot support the motion before the chamber. Labor recognises that timely and planned release of land for housing improves housing affordability. However, the issue of land release is but one element of a complex array of issues that affect the affordability of housing. Labor commends to movers of the motion the Senate Economics References Committee report Out of reach? The Australia affordable housing challenge.

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (15:46): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LUDLAM: This is the second time that a motion to this effect has been brought forward by Senator Day and colleagues. The Greens do not have any objection to questions around restriction of land for housing development, although I would like to see a critique of whether the movers of this motion assume that should all be on the urban fringe or whether there is room for an intelligent conversation about infill along public transport corridors. What we do object to, and why the Greens will not be supporting this motion, is that asserting that the constraints on land supply are the principal cause of worsening housing affordability dramatically oversimplifies an incredibly complex problem. The report the Senator McLucas just referred you to is a 496-page report with 40 recommendations. We heard from more than
a hundred witnesses, including the HIA and the housing industry, as well as many others, mentioning the tax treatment both state and federal, population growth, building codes, the labour market. It is complex. Please stop trying to oversimplify housing affordability. *(Time expired)*

**The PRESIDENT:** The question is that the motion moved by Senator Day be agreed to.

The Senate divided. [15:49]

(The President—Senator Parry)

Ayes .................... 33
Noes .................... 31
Majority ............... 2

**AYES**

Back, CJ
Bernardi, C
Birmingham, SJ
Bushby, DC (teller)
Canavan, M.J.
Cash, MC
Colbeck, R
Day, R.J.
Edwards, S
Fawcett, DJ
Fierravanti-Wells, C
Fifield, MP
Heffernan, W
Johnston, D
Lambie, J
Leyonhjelm, DE
Madigan, J
McGrath, J
McKenzie, B
Muir, R
Nash, F
O'Sullivan, B
Parry, S
Payne, MA
Reynolds, L
Ronaldson, M
Ruston, A
Ryan, SM
Scullion, NG
Seselja, Z
Sinodinos, A
Smith, D
Williams, JR

**NOES**

Bilyk, CL
Bullock, J.W.
Bullock, J.W.
Carr, KJ
Cameron, DN
Collins, JMA
Conroy, SM
Dastyari, S
Di Natale, R
Gallacher, AM
Gallagher, KR
Hanson-Young, SC
Ketter, CR
Lazarus, GP
Lines, S
Ludlam, S
Ludwig, JW
McAllister, J
McEwen, A (teller)
McCartney, J
McLucas, J
Milne, C
Moore, CM
O'Neil, DM
Peris, N
Polley, H
Rhiannon, L
Rice, J
Siewert, R
Singh, LM
Waters, LJ
Whish-Wilson, PS
Wright, PL
Senator Brown did not vote, to compensate for the vacancy caused by the resignation of Senator Mason.

Question agreed to.

**WestConnex**

**Senator RHIANNON** (New South Wales) (15:51): I seek leave to amend general business notice of motion No. 712 standing in my name for today, relating to the WestConnex motorway project.

Leave granted.

**Senator RHIANNON:** I move the motion as amended:

That the Senate—

(a) notes:

(i) an independent report commissioned by the City of Sydney analysing the traffic impact of the WestConnex project found that congestion on Parramatta Road would increase following the motorway's construction, and

(ii) the report provides further evidence that investment in public transport is the best way to solve Sydney's traffic and congestion bottlenecks, and

(iii) that the full business case for the WestConnex project has not been released and that it is environmentally and fiscally irresponsible to engage in contracts without adequate mechanisms for transparency and accountability; and

(b) calls on the Federal Government to withdraw its financial support for the WestConnex project.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:51): I seek leave to make a short statement.

The **PRESIDENT:** Leave is granted for one minute.

**Senator FIFIELD:** The Australian government is fully committed to WestConnex. This is a vital infrastructure project that will cut traffic congestion and boost productivity in the nation's largest city. The completed WestConnex is expected to remove 4,600 trucks and 20,000 cars per day from Parramatta Road between Concord and Camperdown. The New South Wales government is investing in a number of public transport projects at the same time, supported by the federal government's Asset Recycling Initiative. Extensive information on the project and its benefits are widely accessible to the public, including the summary business case, two environmental impact statements, and Infrastructure Australia's assessment of the project. The assessment process for each section of WestConnex can be viewed on the web site of the New South Wales Department of Planning and Environment. Any concerns relating to potential committee impacts can continue to be expressed through the EIS process. By opposing WestConnex the Greens are seeking to deny commuters significant travel time savings, sentencing commuters to more time in the car and less time with their families.

**Senator MOORE** (Queensland) (15:52): I seek leave to make a short statement.
The PRESIDENT: Leave is granted for one minute.

Senator MOORE: Labor is not supporting this motion. We were not consulted on the words, the motion is inaccurate and it is simplistic. Infrastructure decisions need to be separated from the political cycle. Labor has major concerns over the Liberals’ lack of disclosure and proper consultation with the community, and has long called for the public release of all the WestConnex business case. The proposed routes do not address the number one issue raised by Infrastructure NSW—namely, the rapidly growing freight tasked to and from Port Botany, which the motion ignores. Labor believes the federal government should fund public transport projects, where they are the best solution to congestion, based on expert advice and value for money.

The PRESIDENT: The question is that the motion moved by Senator Rhiannon, as amended, be agreed to.

The Senate divided. [15:54]

(The President—Senator Parry)

Ayes ...................... 10
Noes ...................... 46
Majority ............... 36

AYES

Di Natale, R
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Whish-Wilson, PS

Hanson-Young, SC
Milne, C
Rice, J
Waters, LJ
Wright, PL

NOES

Back, CJ
Birmingham, SJ
Bushby, DC
Canavan, M.J.
Collins, JMA
Edwards, S
Fierravanti-Wells, C
Gallacher, AM
Heffernan, W
Ketter, CR
Lazarus, GP
Lines, S
Madigan, J
McEwen, A (teller)
McKenzie, B
Moore, CM
Nash, V
O'Sullivan, B
Peris, N
Reynolds, L
Ruston, A
Scullion, NG

Bilyk, CL
Bullock, J.W.
Cameron, DN
Colbeck, R
Day, R.J.
Fawcett, DJ
Fifield, MP
Gallagher, KR
Johnston, D
Lambie, J
Leyonhjelm, DE
Ludwig, JW
McAllister, J
McGrath, J
McLucas, J
Muir, R
O'Neill, DM
Parry, S
Polley, H
Ronaldson, M
Ryan, SM
Sinodinos, A

CHAMBER
Senators Smith and Williams have moved that the following matter of public importance be submitted to the Senate for discussion:

**Budget**

The Abbott Government's 2015 budget which locks in the unfairness of last year's budget.

Is the proposal supported?

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

The President: I understand that informal arrangements have been made to allocate specific times to each of the speakers in today's debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator Lines (Western Australia) (15:57): I want to focus on one of the government's packages that it has been very proud of—that is, the childcare package. I want to try to unpack what is in that package and look at some of the aspects that the government has either ignored or it thinks are too hard to solve.

It seems clear to me that Prime Minister Abbott has learnt nothing from last year's budget. This government has unfairness at its core. No matter how many times it tries to say that it is a fair budget or it is a fair government, fairness is something you believe in, not something you can just make up one day because it sounds like it is a good idea. Certainly, Labor stand for fairness, and we have a strong record of standing for fairness. But the Abbott government has no record on fairness. This budget certainly does not deliver the fairness that you will hear them talk about. Before this budget Mr Abbott promised that this budget would not be at the expense of the family budget. He has once again broken that promise. Mr Abbott's legacy will be as the Prime Minister of broken promises.

Let us pause for a moment and think about childcare and what commitments were made during the election campaign and indeed over the last period of the Abbott government. They have promised that fees will be lower in the childcare space. They have promised that there will be better access. But what has the government developed? Labor is concerned about where additional childcare places will come from for these women who supposedly will be lured back to work by the family package. Where will those places come from? It does not look to me that there is a plan in the budget to find additional childcare places. In fact, it is quite the reverse. That is an area that Labor will continue to focus on and look at closely.

We the Labor Party are concerned about reports and concerns from the childcare sector itself that many, many families will be locked out of child care because of the work activity test. These are areas that we will look at closely. Last week, in Western Australia, a young woman who does not have family close by told me that she does not know how she will
manage if she loses the two days a week that she currently has in child care and absolutely
relies on. Labor knows that families are under significant financial pressures, especially with
the cost of child care. One of the disappointments for families is that these changes to child
care do not start until 2017—which means another whole year of high childcare fees. The cost
of child care, by the government's own admission, is expected to go up by 20 per cent
between now and 2017. That must be the biggest recorded increase in the history of
subsidised child care in this country, and that is according to the budget papers—but, of
course, you will not hear the Abbott government talk about that.

This means a huge increase in the out-of-pocket costs for families, and yet the government
will provide no help to families with the costs of child care in the intervening period and, in
fact, it wants to cut the family tax benefit in the meantime. The government has not tackled
the increasing costs of child care. Giving more to some families completely ignores the
market—and make no mistake, child care operates in a market. It is not a benevolent service;
it operates in a market. Private operators comprise 70 per cent of the sector, and some within
that market will take advantage of the extra subsidy by increasing their costs. Parents will be
hit with the additional costs into the future and their out-of-pocket expenses will continue to
rise, because the Abbott government has done nothing to look at how to curtail fee increases.
And between now and 1 July 2017, when the new package takes effect, prices will rise.

Mr Morrison has told us that about 20 per cent of services are around and above the new
benchmark price—20 per cent! How many services, or what percentage of services, are below
the benchmark cost? We do not know that, and I am not sure that the government does, but it
is something we will be pursuing in Senate estimates. The budget papers predict a 20 per cent
rise in childcare fees. A 20 per cent rise is bigger than any other rise we have seen in the
subsidised childcare area—and this from a government who promises high quality and low
cost! Of course, it is another broken promise. If, by Mr Morrison's own admission and as the
budget papers demonstrate, 20 per cent of childcare services are above the benchmark rate,
where are the 80 per cent? Are they at or below the benchmark rate? It is a critical question
that needs to be answered. When we look at the budget papers we see that the Abbott
government does expect a significant rise in fees. What does that tell us? It will be a fee rise
such as we have never seen before in this market as operators who sit below the benchmark—
maybe 80 per cent, maybe not—lift their fees to the benchmark level before it comes into
operation so that they maximise the government subsidy, because this is a market and fees do
not go down.

This is surely an inflationary measure completely missed by the government. And of
course there is nothing on the table about making extra places available for families, so even
where families may want to take up the package, they will not be able to. The Abbott
government has done nothing to reduce waiting lists. There are waiting lists of up to two
years and more in our major cities. Family day care—a flexible option—was gutted in the last
budget, forcing services to close. I have met with services in Western Australia, and last week
a service provider told me they had lost seven educators and had closed up their business
solely because of what the Abbott government had done. They had shut their doors, making
fewer services available in the suburbs of Western Australia.

Family day care has been gutted again. The CEO of the Family Day Care Association
states that, in the whole time that Mr Morrison has been the minister, he has not once visited
their service—not once. Yet here we have family day care providers who are in our suburbs, who provide a home care environment, who provide early morning care, who provide late evening care, who provide weekend care—services that we know some families in our community need. These services have been gutted. And what has been put in their place? A trial for nannies. Family day care providers are regulated. They have to be trained. They are managed. They come within the licensing of the states. They are part of the National Quality Framework. They know what their role is and provide an exceptional service, yet these educators are being sacrificed so that we can have this trial of unregulated nannies who will not sit within the National Quality Framework.

What are we creating in this country? Will this be another area that labour hire companies get into to exploit 417 visa holders? Will this be another unregulated area where we see 417 visa holders being exploited, being underpaid, being treated appallingly, such as we saw on the Four Corners program a week or so ago? Because 417 visas are no longer holiday working visas; they are another form of exploitation of labour. They are completely unregulated, and the best the Abbott government can do is to pursue underpayment of wages.

It would be appalling if the area of childcare, where Labor has worked so hard to lift standards, was ripped apart because of this cheap, unregulated nanny scheme. And what of the low-paid educators who care for and educate the nation’s children? There was nothing for them, so we will continue to see massive turnover of educators in this sector. The Abbott government has not done nearly enough in the area of early childhood.

Senator McGrath (Queensland) (16:07): I am very happy to rise to speak on this and explain why the budget this year is such a fair budget. I do not accept the premise that last year’s budget was unfair. This is a very good budget for Australia. It is a very good budget for those who want to have a go. I think that that is to be applauded.

The Treasurer, the finance minister and all those who worked on this budget need to be congratulated. This budget is the next step in the coalition’s responsible, long-term economic plan to build a strong, safe and prosperous future for all Australians. We all know there are economic challenges. China’s economy has slowed, and the iron ore price has almost halved since the last budget, but it is important to stabilise the nation’s finances and reduce debt.

This is key to building a stronger economy and a better future for all Australians. Our country has seen real progress. Our economic plan is working. Growth is up and jobs are up. Labor’s projected debt and deficit have already been cut in half, and this year’s budget delivers a credible path back to surplus. This government, the coalition government, remains committed to returning the budget to surplus as soon as possible, and this budget shows that our plan is working. The budget will deliver jobs, growth and opportunity in a way that is responsible, measured and fair.

We want to help Australians get ahead and we want to provide them with greater capacity to make their own decisions about their future. That is why this year’s budget is good for families and good, especially, for small business. There is a jobs and small business package which I will talk about shortly. It includes a small-business tax cut, which will boost investment and create jobs. And the budget delivers a better childcare system that is simpler, more affordable, more flexible and more accessible. This will provide parents with greater choice when it comes to balancing work and family.
Addressing Labor's debt and deficit will make Australia stronger and allow the government to invest more in the services that Australians need. So we are taking the responsible decisions in the long-term interests of our country. There will always be economic challenges but our plan is realistic, achievable and capable of adapting to changing circumstances.

We should remind those who are listening to this, or reading it, that we inherited a deficit of $48 billion. The deficit for the budget year is now estimated to be $35 billion, and it is forecast to reduce each and every year to below $7 billion over the next four years. That means that, over four years, we will have reduced the $123 billion worth of deficits inherited from Labor by over $40 billion. And we have a credible path—with a credible plan—back to get us surplus.

Because of our efforts, the deficit reduces each and every year on average by around half a percentage point of GDP. This is despite a reduction of over $90 billion in tax receipts having been written off since we came into government. Iron ore prices have halved since the last budget, from US$90 a tonne to US$48 a tonne in this budget. This has contributed to the largest fall in the terms of trade in over 50 years.

As we have promised, the size of government will reduce over the next four years. As someone who passionately believes in a smaller government—it means greater power for individual families—I think that is a good thing. We have kept real payments growth in check at 1.5 per cent average over the five years to 2018-19. While Labor promised real spending growth of two per cent per annum they delivered a 3.6 per cent per annum increase. Gross debt in a decade will be more than $110 billion lower than we inherited from Labor, which was a forecast of $667 billion. Net debt is projected to peak at 18 per cent of GDP in 2016-17, before falling considerably to 7.1 per cent of GDP in 2025-26.

Our action on the budget has allowed us, each year, to lower taxes. In 2014, we removed the carbon and mining taxes, a key election promise. In 2015, we are reducing taxes for 96 per cent of all Australian businesses. I will repeat that: we are reducing taxes for 96 per cent of all Australian businesses. Taken together, all of our decisions since government have reduced the overall burden of tax by $5.4 billion.

This government's economic stewardship, under the leadership of Tony Abbott, has seen nearly a quarter of a million new jobs created since we came to office. In the lead-up to the budget, Labor was standing in the way of fixing the budget by blocking $30 billion in savings, including $5 billion of savings that they had promised. There is more to do—we know that—but we have made considerable progress and laid a strong foundation for the future.

I want to focus, with your permission, on small businesses. Like many on this side of the chamber, I come from a small business background. My parents were farmers, and I was a sole trader for a period of time. I was always quite frustrated when filling out the BAS forms that a small business has to fill out. It shows that on our side of politics we understand the stresses and tribulations that small businesses go through. They are often just mum-and-dad operations.

Small businesses form the engine room of our economy, and as the economy changes, the role of our small businesses will be even more important. With the economy in transition we are freeing up small businesses to create new jobs for Australians and for their children. That is why the $5.5 billion Growing Jobs and Small Business package will deliver a major
incentive for businesses to invest, hire and grow. In addition, the package includes $375 million aimed particularly at improving opportunities for Australians to get a job and reach out to disengaged youth.

From 1 July 2015—a mere few weeks away—all small businesses, whether they are incorporated or not, will receive a tax cut. From 1 July 2015, the government will cut the company tax rate for incorporated businesses with annual turnovers of up to $2 million by 1½ percentage points to 28½ per cent.

From 1 July 2015 the government will also provide a five per cent tax discount to unincorporated businesses with an annual turnover of up to $2 million. It was great news for small businesses when, at 7:30 pm last night, the Treasurer said the words, ‘Up until 30 June 2017 small businesses will also be able to immediately deduct every asset they acquire, which is valued up to $20,000, for tax purposes’. Currently the threshold sits at $1,000. This is fantastic news for businesses in terms of how they deal with their tax liabilities, but it is more fantastic for those small businesses that are going to purchase goods. So, there is going to be a little miniboom over the coming weeks and months up until, certainly, the end of this tax year as people take advantage of this fantastic deduction.

This budget will also help everyday Australians access new jobs, particularly young job seekers and the long-term unemployed. New measures will focus on making job seekers more employable, on reducing the costs of taking on new staff and on bringing job seekers and job providers together. These initiatives include a $1.2 billion national wage subsidy pool to target long-term unemployment. Employers will receive this subsidy from the time an employee starts in a job, when hiring and training costs are greatest, rather than waiting six months or more. This will ensure wage subsidies are more effective. This initiative also includes reforms to restart or to make it easier for small businesses to receive government support sooner when they employ older workers. A private sector work-for-the-dole program of $18 million over four years, for around 6,000 job seekers annually, to undertake valuable work experience is another program that was announced in the budget. This will allow, particularly, young job seekers the chance to develop practical skills, gain workplace experience and better connect with real jobs.

It is not just small businesses. There is a strong package on families. The $4.4 billion jobs for families package will deliver a childcare system that is simpler, more affordable, more flexible and more accessible. Our objective is to help parents who want to work and parents who want to work more. This package will provide parents with greater choice when it comes to balancing work and family. Families with incomes of between $65,000 and $170,000, who use child care from 2017, will be around $30 a week better off. Those on higher incomes will, on average, continue to receive the same level of support when faced with costs when wanting to return to the workforce. Having two parents in paid employment has become a necessity for most families because of the changes taking place in society and in the economy over many years. All mothers work hard, and many are also in paid employment.

This budget is not a budget that is unfair. This budget is a budget that is very fair for all Australians.

Senator LEYONHJELM (New South Wales) (16:17): I agree that the 2015 budget is unfair. It is unfair to future Australians and it is unfair to current taxpayers. It is unfair to future Australians because it buries them further in debt. Next financial year the
Commonwealth government’s liabilities will exceed its assets by $261 billion. That is $11,000 of net liabilities for every Australian—man, woman and child. Net debt to GDP will be 17.3 per cent of GDP. Since 1970 it has only been higher than that once—in 1995-96. That was Keating’s last year as Prime Minister, and it brought on Howard’s era where debt and deficit were eliminated. Unfortunately we see no sign of a concerted deficit reduction strategy from the Abbott government.

The projected surpluses in 2019-20 and beyond are too late and too small. Too late because we have four more years of getting deeper into debt. Too small because these surpluses will only whittle away at what will be a significant pile of debt. What is more, these paper-thin surpluses are not worth the paper they are written on. These distant and small surpluses would only be achieved if the Senate passed all of the government’s policy-specific legislation, like the increase in the eligibility age for the age pension and the cuts to family tax benefits and higher education subsidies. The government has rejected my call for a surplus to be achieved immediately by putting spending cuts in the annual appropriation bills. These are bills that Labor will never block. These distant and small surpluses would only be achieved if Australia achieved the longest period of continuous economic growth in history. In fact, Australia would need to achieve growth rates of 3½ per cent over a number of years—a feat that is far from assured given our current antigrowth policies in areas like industrial relations. These distant and small surpluses would only be achieved if Commonwealth taxes rise to 23.9 per cent of GDP through unabated bracket creep.

The Australian public will not stand for this, and nor should they. Our top marginal personal income tax rates are already among the world’s highest, and bracket creep will put more and more of the middle class into these brackets. The 23.9 per cent of GDP represents an extraordinarily high Commonwealth tax burden. In only four years, since 1970, have we endured a higher Commonwealth tax burden, and that was during the commodity price boom of the early 2000s when company tax collections were pouring in. Running deficits now means we are living the high life at the expense of current taxpayers and future generations. It is unfair in the extreme.

**Senator KETTER (Queensland) (16:21):** I rise today to talk about this government’s second budget and how it has, once again, failed my home state of Queensland. Last year we learned that this was a government of broken promises and twisted priorities. Last year we also found out how unfair a coalition government could be if it really put its mind to it. The fact is that the Abbott government’s 2015 budget locks in the unfairness of last year’s budget. It is not only an unfair budget; it is a weak budget when it comes to the critical points and the tests of job creation and increasing economic opportunities. Under this budget unemployment remains stuck, with the government forecasting it at over six per cent until 2018-19, which means that they have essentially given up on creating more jobs and doing the hard work to bring unemployment down faster.

As I say, this budget retains much of the unfairness of last year’s budget. The Abbott government has not reversed its massive cuts to our hospitals. They have not reversed the cuts to education. The government’s higher education proposals are still very much on the table—$80 billion of cuts to schools and hospitals are still on the table and the same $100,000 degrees are still there. We are still left with big cuts to family payments. This second budget is no better than the first. The Abbott government’s second budget does not address the cuts to
health and education from the first budget. This budget is all about saving the Prime Minister's job. It is about the Prime Minister's and the Treasurer's political survival. There is no long-term vision for Australia in this budget. It is not about the future of Australia; it is short-sighted and this government seems to make things up as it goes along.

It is hard to keep track of the government's litany of broken promises, and they are all to the detriment of my home state of Queensland. On examination of the budget we see that Queensland is facing an $18 billion funding shortfall in health and education over the next 10 years. It is obvious that this government's shocking and clumsy approach to Commonwealth-state relations remains intact. The Commonwealth budget papers reveal that Queensland will be $924 million worse off in hospitals funding over the next three years compared to the specific purpose payments in last year's federal budget. We will also be $466 million worse off in schools funding over the next three years compared with the specific purpose payments of last year's budget.

It is refreshing to point out that the long-held hysteria about debt has suddenly and miraculously disappeared, with debt now suddenly not an issue. Last year the red lights were flashing and we had a budget emergency; this year the glass is half full. It is a miraculous turnaround. Our nation's budget deficit has doubled on Mr Hockey's watch and Mr Hockey says that is okay now. The government has doubled the deficit since last year and we are now under this government seeing the highest tax and spending levels.

I return to a point I made earlier about financial assistance grants to local authorities, which is an important issue in Queensland. This funding arrangement is vital to ensure that local government is supported by the Commonwealth so it can carry out important work for communities. I have already mentioned today that in the electorate of Kennedy the total figure for cuts to local authorities under the financial assistance grants is estimated at $27,698,012 million to the 2017-18 financial year. Longreach Regional Council alone loses $3.3 million. Every single local government will be worse off as a result of the Abbott government's indexation freeze. The government admitted during Senate estimates that they had not done an analysis of the impact of the cuts to local governments and what effect they will have on communities or service provision. They have also admitted to having undertaken no consultation with local councils or communities before making this decision. The flow-on from this decision will hamper the ability of these councils to provide good local roads, decent libraries, well-maintained parks, regular garbage pickups and high quality essential services including child care. Labor has always been a strong supporter of local government and its role in the community and only Labor understands the critical role that local governments play in the economic growth of local communities.

To reiterate, spending is up, unemployment is high, debt and taxes are up and yet the Abbott government's second budget does not redress the cuts to health and education from the government's first budget. This is the same Prime Minister that said that under a coalition government debt would be down, taxes would be down and spending would be down. This government claims that the budget is about fairness and encouraging people to have a go. This government is cutting $80 billion worth of funding to schools and hospitals, and I do not categorise that as a fair budget.

I want to turn to the issue of the Paid Parental Leave scheme and make the observation that the cuts announced in last night's budget will hurt new families in my area. The Treasurer has
changed the terms of paid parental leave benefits meaning that mothers can no longer claim paid parental leave from the state if their employer also provides a benefit. Labor will oppose this measure. The Paid Parental Leave scheme that is now in place was designed by Labor to support working fathers and mothers. The scheme was designed to make sure that the basic scheme is built on with top ups from employers. Mr Abbott said years ago that paid parental leave would be introduced over his dead body. At the time, Mr Abbott wanted to introduce his gold-plated paid parental leave scheme that would have seen mothers get $75,000 to have a baby. Now Mr Abbott and Mr Hockey want to cut paid parental leave to around 80,000 mothers. How can the Australian people believe anything that Tony Abbott ever says again when it comes to family policy? Whilst I am talking about paid parental leave, one must also express great concern at the demonisation in this debate of mothers who access both the government scheme and their employer's scheme. It is suggested that they are somehow rorting the system, but nothing could be further from the truth and I think it is reprehensible that the government has portrayed Australian mothers in that light.

On the issue of health, the GP tax remains in the background of this unfair budget. Millions of patients are set to be hit with a GP tax even bigger than the original proposal, with the 2015 budget confirming that the Abbott government is committed to a four-year freeze on Medicare rebates. The fundamental unfairness of last year's budget disaster continues. The rebate freeze is just the latest version of the unfair GP tax, which has seen the government attempt to slug patients with a $7 fee, a $5 fee, a $20 fee and now an $8.43 fee through the back door.

On the issue of multinational tax avoidance, the Prime Minister has spent months promising to reap billions from tax integrity measures. Joe Hockey's own budget papers reveal this to be a fraud. Mr Hockey's best effort at tackling multinational tax avoidance is worth a total of $30 million over four years, less than one-sixtieth of Labor's multinationals package. I think everybody can agree that all companies should pay their fair share of tax. Labor has announced a fully costed, carefully calibrated package of measures that would keep $7.2 billion worth of tax in Australia over the next decade. Those changes relate to arrangements as to how multinational companies claim tax deductions, greater compliance work by the ATO, cracking down on multinational companies using hybrid structures to reduce tax, and improved transparency and data matching. Only Labor has a plan to tackle multinational tax avoidance and ensure big multinationals pay their fair share.

This Abbott government budget does lock in the unfairness of last year's budget.

**Senator BERNARDI** (South Australia) (16:31): It never ceases to amaze me, I have to say, that the Labor Party never seem to have the answers in government. They create the problems in government, but, in the wisdom of opposition, apparently they always have a plan that they are going to bring forward. Their plan over the last 18 months has been to stop budget repair. They have stood in the way of tens of billions of dollars worth of savings that would have offset some of the spendthrift and wasteful nature that characterised their government. But the job, as always in repaying Labor's debt and deficit, falls to the prudent policies of the coalition.

I will not gild the lily; not every decision in last year's budget met with my approval. I did not want to see tax rates go up, but that is okay—Labor supported that. I do not want to see Australian consumers hurt; I want to see small business flourish, and the government has
undertaken a package in this budget to do exactly that. It has undertaken not to lift taxes. It has undertaken to give a tax break to Australia's small businesses whether they are incorporated, by lowering the tax rate to 28½ per cent, or unincorporated, by allowing them to have a $1,000 tax rebate. That is a magnificent start to spurring the engine room of the Australian economy. If nothing else, the Labor Party's maladministration over the six or so years of the Rudd-Gillard-Rudd governments demonstrated that the government does not drive the economy. The government creates problems for those who do undertake productive and effective work.

In the budget handed down by Mr Hockey last night, the centrepiece—the flag-bearer for it, from my point of view—is the way it treats small business. I was brought up in small business; my father was involved in it; I was involved with it before I came into this place. I understand how tough it can be for small business people, whose only motivation, might I add, is to provide for their families, to try and make a dollar, hopefully to grow, and to employ other Australians so that they can lead productive lives and look after their families as well. That is the motivation for bosses, and yet the circumstances we had under Labor were barrier after barrier, red tape after red tape, and green tape after green tape put up in front of small businesses so that not only was it tough for them to get started but it was very tough for them to get any bigger. This government went a long way last night to redressing that, not only by lowering the tax rate but by this magnificent and, I have to say, unbelievably generous measure for immediate depreciation of assets purchased for the business up to the value of $20,000. That is, I think, one of the best policy decisions I have heard. It will stimulate the economy and encourage businesspeople to go out, invest in the assets, the infrastructure and what is necessary for them to function in their business, and employ people going forward. It is a very generous measure, and I think it is fantastic, so I support that.

Also, the government has focused on the ability for businesses to transform out of perhaps an unwieldy structure into a more modern structure. A lot of businesses, when they are incorporated or created, are not set up in the most effective manner for them, which is proved subsequently with their growth and various other changes. The government has implemented some procedures and some regulations that will allow for the minimisation of taxation and costs in respect of the transition to a more flexible or perhaps a more relevant structure for businesses.

The government has also touched on employee share schemes, to make it worthwhile and less onerous for the start-up companies—the ones that are going to drive our economy going forward—to include employees in the benefits of any success that business may have. If you want to look around the world, you will see that some of the great success stories, whether it be Google or Apple or any of these other start-ups that have emerged—Uber and PayPal are other examples—have all had employee share schemes that have enabled those people to go into work and receive a salary perhaps under what they might otherwise command in the private sector but with the upside of business ownership and entrepreneurship. That is the culture we should be encouraging in this country. It is a culture that I absolutely support, because it is what is going to drive innovation—and innovation is what we need to be encouraging.

It is often said at my children's school that information is available, to every child, wherever they go. They can go to Google or anywhere else and get all the information they
need, but it is how they analyse and look at that information that is important. That is what they are teaching children in schools today—I hope they are—how to learn, how to digest and how to dissect information.

We have to start to think that our economy cannot be prescriptive. It is not just about manufacturing or mining or anything else. They are very important, but probably the most successful company in this country has not even been started yet. Maybe it started in the last year. We are yet to see it grow, and we cannot even envisage the success of the future that so many people will undertake. That is why innovation, particularly innovation and investment in small business by government, is so welcome.

None of this comes without expense, but it is far better to give a tax break to business that will result in more jobs, overall, than to send cheques for $900 to people who live overseas or who are deceased. One senator said you should be able to put it into the poker machines. A government investing in small business is much better than giving someone money to put into a poker machine. That is just a personal view. I know some on the other side have different views, because they have said them before in this place.

Last night's budget was an excellent budget for the country at the time we find ourselves in. Let us not fool ourselves. We have a massive process ahead of paying back the debt to reclaim the deficits that have been characterised by modern budgets, but we have made some giant inroads along the way. We have cut the deficit that was projected. We have cut the overwhelming national debt that was projected under the previous governments. We are on the right path.

If we can stimulate our economy, if we can continue to grow it—the best way to grow an economy is to get government out-of-the-way of it; it is to cut taxes, allow more freedom and allow more innovation—then we have a real chance of addressing the economic and fiscal problems that our country faces as a result of the Rudd-Gillard-Rudd governments. We cannot afford to continue down the path they set us on, and last night's budget goes a long way to addressing that damage.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:39): I rise to make a contribution to this matter of public importance that discusses whether the budget locks in unfairness. Yes, it definitely does. We have the cuts the previous budget made that are continued, here with this budget, and those that have already started.

You have the cuts that were made to Aboriginal and Torres Strait Islander peoples through the Indigenous Advancement Strategy, which took $534 million out of spending in Aboriginal and Torres Strait Islander communities. That is already being felt on the ground in those communities and is extremely unfair. You have the cuts to the Department of Social Services, which are $270 million taken out of supports and services for the most vulnerable in our community—and those are hitting the ground. The cuts to emergency relief are hitting the ground not only across metropolitan areas throughout this country but also in rural and regional areas. You have cuts to health that are already hitting the ground. There is the loss of youthconnect. The list goes on.

Those were the cuts from last year, which have been entrenched in this budget and the measures that have not been passed and those that are still on the books. There are the cuts to family tax benefits and, in particular, those that would hit very hard on single parents. And
there is the government's total refusal to look at key revenue measures, including looking at super to the big end of town. They will not look at it. They have made no commitments at all.

They are shying away from and refusing to address issues around retirement income—in the broader context—and looking at a review. Seniors groups are calling for this and have been repeating their calls for that broader review of retirement incomes, to make sure that retirement income is fair and equitable and that the government is not just looking after the wealthy through the very generous tax concessions, for super, for the wealthy. Those are grossly unfair. The government knows about it. They are shutting their eyes and do not want to deal with it—because it might affect their mates.

The Treasurer, Mr Hockey, said the budget enables every Australian to 'have a go'. I have news for him: no, it does not. The cuts they are locking in through this budget, that they brought through the last budget, undermine the ability of vulnerable Australians to have a go. What do you think happens to a young person when they are on no income, whatsoever? The government said it has heard the message. They said: 'Do you think it unfair that young people are dumped off income support, of any form of income, for six months?' 'Oh, we have heard that. We'll just make it seem a bit fairer by reducing it to one month.' No. It is not fairer. It is cruel. It is harsh. How do you expect young people under the age of 25 to eat, have accommodation and gain employment when they are living in poverty—on nothing for a month?

They are also extending the age for Youth Allowance to 25. They are on even lower money, living below the poverty line. Did they address the gross unfairness of Newstart and its payments? They have not been rising to meet the cost of living. People are living below the poverty line and will drop further below the poverty line because the indexation of Newstart does not keep up with the true cost of living. They are not increasing Newstart and people are still existing on $260 a week below the poverty line. If the government were really about addressing fairness and a good quality of life for people and helping people gain employment, they would be investing in helping people much more than they are. They would not be locking in unfairness by not committing to increased payments, like Newstart and Youth Allowance, so people can live above the poverty line. We know that poverty makes it even harder for people to gain employment.

Another unfair component of this budget is the fact that we knew we had to upgrade the IT system for Human Services—but what did they do? They said this is all about collecting revenue from those people who are not compliant and are fraudulently claiming benefits. That is not the approach we should be taking. The IT system should be helping people gain employment. (Time expired)

Senator CAROL BROWN (Tasmania) (16:44): I rise to speak on the matter of public importance on the Abbott government's 2015 budget, which locks in the unfairness of last year's budget. We know that last year's budget was one of the worst and most unfair in history. It hit pensioners, it hit students, it hit families and it made savage cuts to health and education. The budget handed down last night is simply more of the same. It is unfair. The unfair measures in last year's budget live on in this budget. The $80 billion of cuts to health and education live on. The cuts to the family tax benefits are still there. The $100,000 university degrees are still there. Unfairness remains at the core of this latest budget. The language may have changed, but the cuts remain.
In the last budget we were told that the family tax benefits had to be cut because we had to repair the budget and get the budget back to surplus. Now we are told by the government that the cuts to family tax benefits are needed to fund the childcare package. As the shadow Treasurer, Mr Bowen, said this morning:

The alibi has changed but the cuts have remained. The Abbott government's second budget simply locks in the unfair cuts to family payments that were made the first time around. We know that this government cannot be trusted. It said that the family budget would not be hit in this year's budget, but that is not true. The Abbott government still wants to cut families off Family Tax Benefit B when their youngest child turns six. Kids do not get cheaper when they turn six. Mr Abbott still wants to freeze family tax benefit rates, which will erode the value of these payments. For example, a single-income family on $65,000 a year with two children at school will be $6,000 a year worse off. The Large Family Supplement will be abolished and the Low Income Supplement will also be abolished. These cuts are still in the budget, and these cuts will have a huge impact on the lives of low- and middle-income Australian families. They will hurt millions of families across the country and I can assure you that Labor will continue to oppose these cuts.

To add insult to injury, Mr Abbott wants to rip a further $967 million from paid parental leave in a new cut that will push around 80,000 mothers off PPL, leaving them up to $11,500 worse off. This will also leave them with less time with their babies in the early years of their child's life. One of the most unfair and cruellest cuts in the Abbott government's first budget was the move to force jobseekers to live on nothing for six months. His second budget will leave jobseekers under the age of 25 with nothing to live on for one month. This is unfair and will continue to hurt young Australians who are struggling to make ends meet. The government has learnt nothing from the cuts that they sought to make in their last budget. They moved from six months because they knew that it was deeply unpopular within the Australian community and now they are trying to trick the community into accepting that maybe one month is okay. Well, it is not. It is unfair and it is not okay.

We need to support and encourage our young people, not treat them unfairly and leave them out in the cold. We need to make it easier for them to find a job, not harder. There is no justification for this measure, as the Australian Council of Social Service chief, Cassandra Goldie, said after the budget was handed down. No amount of sugar-coating, spin or glossy brochures will change the fact that this budget fails the fairness test. It certainly will not help one Australian family. (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (16:49): I regret feeling the need to stand here and maybe give those opposite a lesson in economics 101. The fundamental basis of it is that you cannot just keep spending money and constantly putting more and more programs into your public budget if you cannot actually afford to pay for them. Senator Brown made the comment that we need to support and encourage our young people. The best way that we can support and encourage our young people is to allow them to be able to get a job. The best way for them to be able to get a job is if we put confidence back into our economy so that our businesses start employing people, and, if they employ people, there will be more jobs for our young people. By spending more and more money in the public sector and constantly putting more and more pressure on the public purse to pay back the interest that is on the money that we owe is no way to run our economy.
As someone more famous than me said: 'You can't tax your way out of a recession.' And the public sector cannot spend its way out of a recession. We need to give business the confidence, the incentive and the tools so that they can make our country more prosperous. Instead of standing opposite and talking about all the things that may not have been in the budget that you would have liked to have given people so that you could buy their vote at the next election, maybe a more responsible approach would be to come up with suggestions about how you are going to deal with the debt and deficit problems this government has inherited from you.

I think that the budget that was brought down last night was eminently sensible, balanced and reasonable. I do not believe that in any way it was unfair. I am a small-business person. I come from a community that is run on small business. Many people in this chamber, if they actually bothered to have a look, would realise that small business is the engine room of this country. By putting in some programs and some initiatives and allowing them a 1.5 per cent tax cut, maybe small businesses—remember that every big business was a small business once—will have the confidence and the incentive to employ more people. Employing more people, Senator Brown, will mean that young people will have greater opportunity and access to a greater job market.

It is not just tax relief of 1.5 per cent that is being given to small business—it is a whole package of $5.5 billion. With accelerated depreciation, those of you who have been involved in small business, as I have, will know that one of the greatest things to give you the encouragement to make that decision to purchase a new piece of equipment is knowing that you are able to depreciate it over a much shorter period of time. If I had to go and buy myself a lawnmower and I knew I could depreciate it over the first 12 months of owning it, I would be much more likely to buy it. But that does not just benefit me because I am able to get that depreciation benefit immediately; it also benefits the local dealer who sells me the lawnmower. Of course, this continues to have a flow-on effect in our economy. This is what you call stimulating growth. You are not putting a blanket on growth by just trying to use the public sector to spend your way out of the situation, you are using business and using your economy to drive the growth of the Australian economy. Certainly, the small business package is something that has been welcomed in the electorate and in South Australia, because it is seen as a stimulus to our economy.

The other area that was particularly welcomed was the $4.4 billion families package. Certainly, in the discussion after the last budget in relation to the Paid Parental Leave scheme it appeared that the women of our country were keen for childcare support and believed that it was an important way of assisting them to get back into the workforce. We need to look at this as a productivity measure and encourage the 50 per cent of our population, or thereabouts, that take some time off to have children to get back into the workforce. Up until now, they have found it particularly restrictive because they have not been able to access child care at affordable levels. For those opposite to come in here and say that this is an unfair budget, when they were advocating that child care be included in the budget, seems rather ignorant. It is contradictory for them to come in here and say that the childcare and $4.4 billion families package is unfair.

I want to touch quickly on my home state of South Australia. I would like to put on the record that annual Commonwealth funding to South Australia will increase by $2.4 billion
over the next four years. That is an increase in hospital funding; it is an increase in school funding. I would like to put that on the record. It does not matter how many advertising campaigns Premier Weatherill in South Australia decides that he is going to run to try and bluff the South Australian public into believing that the federal government is somehow cutting funding to South Australia, he cannot cover up the fact that he has been a totally incompetent fiscal manager in our state. The budget measures and the fiscal inadequacies of his government are the reasons he has had to cut programs in South Australia. The federal government has not taken money out of the South Australian bucket. As I said, it has increased overall funding. It has increased school funding and increased hospital funding. For Premier Weatherill to spend millions of dollars of South Australian taxpayers' money running what would have to be described as misleading at best and dishonest at worst advertising campaigns, and to suggest that the federal government is in any way to blame for the fact that he is no longer able to fund some of the initiatives that are the purview and responsibility of the South Australian government, I think is reprehensible and entirely recklessly irresponsible on his part. To add insult to injury, we had a question today criticising this government about hospital funding. It is the South Australian government who intends to shut down the repat hospital for our veterans in South Australia. This is a fair budget, and it is ridiculous to say otherwise.

The DEPUTY PRESIDENT: Order! The time allotted for the discussion has expired.

DOCUMENTS
Consideration
The government documents tabled today and general business orders of the day relating to government documents were called on but no motion was moved.

COMMITTEES
Migration Committee
Report
Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (16:57): On behalf of the Chair of the Joint Standing Committee on Migration, I present a corrigendum to the report on the inquiry into the Business Innovation and Investment Programme.

Treaties Committee
Report
Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (16:58): On behalf of the Chair of the Joint Standing Committee on Treaties, I present the 148th report on treaties tabled on 10 February 2015, and I move:

That the Senate take note of the report.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.
Regulations and Ordinances Committee

Delegated Legislation Monitor

Senator O’SULLIVAN (Queensland—Nationals Whip in the Senate) (16:58): On behalf of the Chair of the Standing Committee on Regulations and Ordinances, I present Delegated Legislation Monitor No. 5 of 2015.
Ordered that the document be printed.

Environment and Communications Legislation Committee

Environment and Communications References Committee

Additional Information

Senator O’SULLIVAN (Queensland—Nationals Whip in the Senate) (16:58): Pursuant to order and at the request of the chairs of the respective committees, I present additional information received by the committees on their respective inquiries into the Australian Broadcasting Corporation Amendment (Local Content) Bill 2014 and the National Landcare Program.

Scrutiny of Bills Committee

Report

Ordered that the documents be printed.

Environment and Communications References Committee

Report

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (16:59): I present the report of the Environment and Communications References Committee on environmental biosecurity, together with the Hansard record of proceedings and documents presented to the committee.
Ordered that the report be printed.

Senator URQUHART: I move:

That the Senate take note of the report.

I am pleased to table this report into invasive species as the chair of the Environment and Communications Committee.

Firstly, I would like to thank all those who took the time to write a submission.

The committee received almost 100 submissions from organisations, government bodies, experts and interested individuals across the country.

I would also like to acknowledge those who took time out of their schedules to appear before the committee hearings in Perth, Sydney, Hobart and Canberra.

And of course I have to recognise the great work of the Environment and Communications Committee secretariat under the very capable guidance of secretary Christine McDonald.
The team has done an excellent job, yet again.

Biosecurity in Australia is facing a number of challenges, not least of which is the increasing cross-border movements of people, cargo and mail.

All of these pathways present a risk that an environmental or agricultural pest could breach our borders.

At the same time, climate change is changing the geographic range that invasive species can thrive in.

And of course staff cuts at government agencies and reduction in research funding are also hitting hard.

Environmental biosecurity faces extra challenges because it does not have the same range of stakeholders to contribute financially to biosecurity efforts as industry biosecurity does.

It also faces greater difficulties in detection, and, because it functions across a much broader range of species and ecosystems, the task becomes even more complex.

The inquiry had broad terms of reference to consider the effectiveness of Australia's arrangements to prevent the entry and establishment of invasive species likely to harm Australia's natural environment.

The committee considered how well Australia has responded to recent incursions from exotic organisms.

It also looked at how prepared Australia might be for future incursions by considering how well we identify risks, determine priorities and undertake contingency planning.

This took in analysis of surveillance, compliance monitoring, enforcement and reporting activities, along with the institutional arrangements for environmental biosecurity.

The committee heard from a number of witnesses about the shortcomings of the current arrangements, and the best way forward.

On the basis of this, it put forward 26 recommendations.

I think this provides a great framework from which to proceed.

The first recommendation was that the newly legislated Inspector-General of Biosecurity undertake a systematic review to determine how well environmental biosecurity concerns are addressed within the broader biosecurity framework.

The committee also made a number of recommendations to improve arrangements between the federal and state and territory governments under the National Environmental Biosecurity Response Agreement, or NEBRA.

It also recognise that there are difficulties in assessing the success or otherwise of our current efforts due to a lack of meaningful performance indicators.

As a result, a number of recommendations focus on developing meaningful methodologies to measure progress, an audit of the implementation of Australia’s Biodiversity Conservation Strategy.

It also suggested reviews of funding allocations processes in order to minimise delays for time-sensitive work.
Another area of potential improvement is that of reporting, and the committee recommends the creation of a national priority list of pests and diseases of concern.

One issue that was reported by many submitters to the inquiry was a decline in the level of scientific expertise and a reduction in research funding to address environmental biosecurity in Australia.

As a result, the committee recommended that the Department of Industry and Science look at these issues.

This would include a strategy to address the decline in expertise, a review to prioritise our research needs, which would include specific investigation of our capacity to examine the effects of climate change on invasive species.

In a similar vein, the committee recommended that the Commonwealth establish a taxonomic identification service that calls on existing expertise to be used in a more efficient and coordinated manner.

Another area of concern that some submitters raised was the great risk posed by internet retailers that sell plants and seeds into the country that breach our import requirements.

In response to this the committee recommended that the Department of Agriculture needs to undertake enforcement activities and work with these businesses to ensure that appropriate warnings are displayed before purchase.

In relation to specific threats, the committee recommended that measures in the Tramp Ant Threat Abatement Plan are fully implemented.

It also called on the Department of Agriculture to review its cargo surveillance measures in order to increase detection rates.

Another recommendations looked at the horticultural industries and called for standardised labelling, weed identification, and sales tracking protocols.

We also recognised the risk of privately owned birds escaping and put in a recommendation to strengthen regulations around private aviculture imports.

Along similar lines, the committee found it would be useful to do some work on identifying the pathways by which exotic birds are entering the country and develop a national database of seized exotic wildlife.

There were also recommendations for a national mandatory biofouling management regime and more regular ship inspections targeted in biofouling.

In the marine area, the committee recommended improved border surveillance for freshwater fish imports and the implementation of the on-arrival fish health monitoring program.

The final recommendation in the report called for a national framework for managing biosecurity in the unique environment of Australia's islands.

I commend this report to the Senate. I seek leave to continue my remarks.

Leave granted; debate adjourned.
Public Accounts and Audit Committee

Documents

Senator SMITH (Western Australia) (17:06): On behalf of the Joint Committee on Public Accounts and Audit I table a statement on the draft estimates for the Australian National Audit Office and the Parliamentary Budget Office for 2015-16 and move:

That the Senate take note of the statement.

I seek leave to incorporate the statement in Hansard.

Leave granted.

The statement read as follows—

STATEMENT BY THE JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT ON THE 2015-16 DRAFT ESTIMATES FOR THE AUSTRALIAN NATIONAL AUDIT OFFICE AND THE PARLIAMENTARY BUDGET OFFICE

As the committee responsible for parliamentary oversight of the Parliamentary Budget Office (PBO) and the Australian National Audit Office (ANAO), the Joint Committee of Public Accounts and Audit (JCPAA) is required by legislation to consider the draft budget estimates for each office, with the Chair making recommendations to both Houses of Parliament. Therefore, on Budget Day each year the Committee makes a statement on whether, in its opinion, these offices have been given sufficient funding to carry out their respective mandates.

To this end, both the PBO and ANAO are empowered through their respective legislation to disclose their draft budget estimates to the JCPAA, which the Committee then considers in making any representations to the Government and the two Houses.

Parliamentary Budget Office

In accordance with the Parliamentary Service Act 1999, the Committee received a copy of the PBO draft budget estimates in February 2015.

The PBO’s resourcing is expected to total approximately $8.0 million for 2015-16; an increase on the 2014-15 resourcing of approximately $7.6 million. This increase in resourcing is in accordance with the supplementation provided every third year to help the PBO meet the additional demands associated with a general election.

The Parliamentary Budget Officer has advised the Committee that the PBO plans to draw $300,000 from its special appropriation in 2015-16 and further amounts over the forward estimates.

The Parliamentary Budget Officer has advised the Committee that the PBO’s resources are adequate for 2015-16 and the forward estimates period. The Committee commends the PBO for its work and notes that the demand for the PBO’s costings and budget analysis services continues to steadily increase.

The Committee endorses the proposed budget for the PBO in 2015-16.

Australian National Audit Office

In accordance with the Public Accounts and Audit Committee Act 1951 and the Auditor-General Act 1997, the Committee received a copy of the ANAO draft budget estimates in December 2014.

The ANAO’s total revenue from government is expected to total approximately $72.9 million in 2015-16; a decrease on the 2014-15 revenue from government of $73.4 million.

In its 2014-15 statement to Parliament on the ANAO’s draft budget estimates, the Committee expressed concerns regarding a range of pressures and funding uncertainty experienced by the ANAO. The Committee recommended that steps be taken to place the ANAO on more financially sustainable footing to ensure that its essential work scrutinising Government processes and expenditure was
properly resourced and that funding be provided to ensure that there was no further reduction in the number of performance audits conducted.

The Auditor-General has advised the Committee that, despite anticipating the need to seek additional funding in the 2015-16 Budget, the planned sale of Medibank and the abolition or mergers of a number of other public sector entities has provided the ANAO with the potential to absorb the current pressures on its audit programs, provided it can maintain the funding of approximately $1.1 million previously allocated to these audits.

The Committee notes the Prime Minister’s decision to allow the ANAO to maintain the funding released as a result of the planned sale of Medibank and the abolition or mergers of a number of other public sector entities. The Auditor-General has advised the Committee that the ANAO does not expect to seek supplementation in the 2015-16 Budget and will instead focus on realigning this funding to meet the various pressures on its programs.

The Auditor-General has advised the Committee that this will allow the ANAO to deliver one additional performance audit report each of the Budget and forward years (48 to 49 in 2015-16 and 47 to 48 in 2016-17 and 2017-18). The Committee commends the Auditor-General and his office for maintaining its financial statements audit program and their performance audit program in a challenging fiscal environment and will continue to support the ANAO’s goal of restoring the performance audit program to its benchmark of 50 reports over time.

The Committee’s work surrounding the passage of the Public Governance, Performance and Accountability Act 2013 and its focus on greater performance measurement and reporting highlights the importance of a robust system of performance reporting and auditing and the invaluable service that the ANAO provides to the Parliament and the Australian people.

The Committee endorses the proposed budget for the ANAO in 2015-16.

Conclusion

In conclusion, the Committee will continue to closely monitor the pressures being placed on the PBO and the ANAO and the effect that these pressures may have on their work programs. As independent authorities, the PBO and ANAO need to be sufficiently funded to fulfil their legislative requirements and adequately support the Parliament.

The Committee appreciates the efforts of both the Parliamentary Budget Officer and the Auditor-General in maintaining strong working relationships with the Parliament, and particularly with this Committee. They have made themselves available for regular briefings and provided invaluable advice to the Committee on a variety of matters. The Committee looks forward to continuing these productive relationships.

Senator SMITH: I seek leave to continue my remarks.

Leave granted; debate adjourned.

Community Affairs References Committee Report

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:07): I present an interim report of the Community Affairs References Committee on the Commonwealth community service tendering processes by the Department of Social Services, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator SIEWERT: I move:

That the Senate take note of the report.
The committee is presenting this interim report to report on progress on its inquiry into the impact on the service quality, efficiency and sustainability of recent Commonwealth community service tendering processes by the Department of Social Services. We have held one hearing to date for this inquiry, and we have received 97 submissions so far. There are some very important issues that have been brought up so far by the submissions and at the day of hearing. As there is so much information and as the committee also has a heavy workload, we sought earlier in the Senate to extend our reporting date to August. However, because there are some key processes that are happening now—and I will go into those in a minute—the majority of the committee felt it was important to consider this interim report.

The grants process was a new process introduced when the government came in. Announcements were made during the budget about how the new programs for providing social services and supports would roll out across the country. The department opened a very extended tender process—extended in terms of what it covered, the particular services that were covered, and the grants that were covered—and they did it in a very short time frame. One chapter of this report deals specifically with one aspect of the process that we looked at during the hearing and from the submissions that we have received to date. I think it is fair to say that, from the submissions and the oral evidence that we received, there is overwhelming frustration in the community sector about the process that the government, through the Department of Social Services, undertook through this grants process. The report looks at the process around the tender time lines, the process of communication and communicating a funding strategy and engagement with the sector. There has been a huge amount of criticism of all of those things. The things that people are extremely concerned about are not only the short time frames—and I will go into that in a second—but also the fact that they were notified about the results of the tendering process just before Christmas. The impact on providers, both those who were successful and those who were unsuccessful, just before Christmas, was intense—and that just added to the level of overwhelming frustration.

What we have done with the evidence that we received and the comments and the evidence that people gave orally and through written submissions is compare the process with what the Commonwealth grant guidelines say should be done and also with the ANAO’s Implementing Better Practice Grants Administration processes. The Department of Social Services, when they came before the committee—and I have to say the committee will be calling them again, because we ran out of time to enable us to ask all the questions that we had—said that they had complied with those guidelines. I am sorry to say that the evidence that we have received to date does not support that claim. It does not support the claim that they have complied with either the Commonwealth grants guidelines or the ANAO's recommendations in Implementing Better Practice Grants Administration. We have also found that there are some holes in the Commonwealth grant guidelines, and the committee is recommending that the Auditor-General have a look at those processes.

There was a short time frame between announcing in the budget that this process was going to be thrown open and when applications opened. There was no consultation with the sector around what the tender process would look like or what was in the tender process—and, in fact, the grant guidelines say that should happen. The department said at estimates: 'No, we can't possibly talk to the stakeholders, because this is a competitive tender process.' That is not what the guidelines say. There was a very short time line for the tenders to go in, and
there was a lot of concern and misunderstanding about what was required for the tender process, because this was a whole new process. As I said before, there is a great deal of concern about the time frame and what happened with the pre-Christmas—just days before Christmas—announcement, and also the time process for signing off on grants.

What the committee in its interim report is recommending is that the Auditor-General consider a review of the 2014 Department of Social Services community services tendering process. One of the reasons we want to report now is that the ANAO is currently considering its program for the next round of auditing review processes, and we thought that it was important to make a recommendation that the tendering process go through that audit review.

We are also recommending that the Auditor-General consider reviewing the 2004 community service tendering process conducted by the Department of Social Services, with a view to updating the Commonwealth grant guidelines, because the committee process has identified some gaps in those guidelines in terms of how they send the appropriate signals to departments when they are carrying out tendering processes.

This is only an interim report. Quite frankly, we have only touched on a portion of the issues that have been raised by the submissions and the oral evidence that we have received. The report only reflects some of the extreme frustration that the community sector continues to feel with this process. When we finally report on the rest of the terms of reference of this inquiry, we will be canvassing all the issues that have been raised with us by the community, and we will endeavour to reflect the sense of frustration that the sector feels in terms of the way that this process was carried out.

Senator MOORE (Queensland) (17:15): There were two reasons for this committee to consider this particular tendering process. One was to reflect—as indeed Senator Siewert has put on record—the intense frustration across the community sector with the way that this particular tendering process operated. The second—leading on from frustration and the desire to do things better—was a need that this should not happen in this way again.

It is important to acknowledge that we, on the committee, have seen and talked with the government representatives on a number of occasions: through some extremely long and quite difficult—I would even use the term ‘robust’—discussions through Senate estimates; as well as through a number of exchanges of information through the committee hearing; and through documentation that continues to be exchanged about exactly what happened in this tender process. Throughout that, there has never been a sense that we have underestimated the amount of effort and commitment that the people in the department have expended in this exercise. There is no question that there is commitment within the Department of Social Services to ensure that community receives effective services, and we do not want to be seen as in any way making unjust criticism. But when we see the evidence in the over 90 submissions that were provided to this particular exercise, expressing concern, frustration and anger about the way that the process operated, it is important that we, as a parliament, respond to that and look at exactly what happened and look at suggestions into the future.

There is no such thing as a perfect competitive grants process. There will always be difficulty; there will always be different views; there will always be disappointment about the results. But, in my opinion, the particular process that happened from June last year was a textbook example of how something should not occur. There was an overenthusiastic and overoptimistic expectation of how the process operated. In terms of the environment, we had
very significant machinery of government changes to the way that the departments operated and the number of grants. Indeed, as we have heard many times, under the machinery of government changes there was an amalgamation of 18 discretionary grant programs from five former departments. So that was an enormous change, and just the mechanisms of working together and making sure that it would operate were a significant challenge to all included. On top of that, there was a significant government decision—a funding decision—to cut over $250 million from the pool of grants available.

That situation was building up to what was almost a perfect storm: you had a major government change, you had different processes operating, you had previous departments being pulled together, you had a significant financial restriction, and you also had a very tight time frame under which this should operate. All of that was going to cause problems. My major issue throughout this whole exercise is: it was clear that there were going to problems, it was clear that it was going to be a major exercise, but until the end of the process it was very difficult to get anyone to acknowledge that there were problems.

When we asked questions, we were given polite answers saying, 'It's okay. Trust us. It's going fine'. Not only were those answers given to members of the Senate, they were given to the people who were applying for grants in the process. There was limited time for information, before every applicant had to have extraordinarily detailed applications in to the department. However, from that point onwards, there did not seem to be any particular time frames. In fact, there were two extensions of the time to make a decision sought and provided to the department and to the minister. There was, inevitably, some tension from the very people who were trying to ensure that their clients were going to receive effective, appropriate, well-resourced services. The time frame and the pressure under which they were operating seemed to have been contrasted with the way that the department was not able to respond on time, effectively and personally to the people who were involved in this grants round.

There are a range of documents which set out how grants should be done. We had a Productivity Commission inquiry several years ago which talked about the need for a respectful relationship between the people in the community providing services and those that fund the services. A key aspect was to have effective, transparent communication with a genuine respect for those people who were providing information when they were seeking a grant.

Of the whole process, the thing that frustrates me most—and that is a very big call, as I know Senator Siewert agrees—is that there did not seem, on the evidence that we have seen, to be that genuine respect between the funding body and those organisations in the community with extensive experience who were actually applying for grants. We acknowledge that there had to be decision made. It was a competitive process, but throughout that, there should have been an acknowledgement and a respect for the experience of those organisations and the actual business needs of those organisations in terms of making decisions that would fit their staff—if a negative decision came out, how they would effectively terminate the process and how they would work with the community who were receiving the services to ensure that they continued to receive whatever the program was. This was particularly important when we were looking at support services, counselling services and services around emergency funding, which were of immediate need to community
members. This did not seem able to be effectively translated between the funding body and the organisations.

I am not saying that the department did not care. I am saying that they were not able to effectively communicate that care. We have had a number of statements from organisations that have been working within the system for a very long time talking about their anger, never having seen a worse performance, never having felt so disrespected, not feeling confident that their wishes were understood and, most importantly, not feeling capable of having effective communication between the funding body and the organisations.

This report is important. I think it is important for a number of reasons. Firstly, it gave the organisations who felt abused by the process the opportunity to express their feelings and talk about what happened to them in the process and, most importantly, talk about how across the board the process could be done better in the future. That is why we had this committee inquiry—to look at how we can do this better in the future. We have a majority report which recommends that we have a good look at this through the audit process. Through the audit process we will be able to look very closely at the processes that were put in place, what was done, what could have been done better and the impact of effective grants processing.

I really commend this report to the department. I commend it to the organisations that were generous enough to provide us with their experiences. I think it is absolutely critically important for the effectiveness of future funding grants rounds and the effectiveness of government services in the wider community to learn from this experience, to acknowledge what happened very openly and to work clearly in the future to rebuild a positive relationship with organisations and the community because, without that, none of our services will work. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MINISTERIAL STATEMENTS

Centenary of Anzac


Leave granted.

The statement read as follows—

At the last election, the Government promised to take a hands-on approach to the commemoration of the Centenary of Anzac. We said:

_The Centenary of Anzac will be a period of national reflection, remembrance and commemoration for the service and sacrifice of so many Australians in defence of our way of life, our values and our freedoms._

_The Coalition will ensure that communities right across Australia have every opportunity to commemorate the deeds of local people in the service of their nation._

We have delivered this commitment.

Since coming to office, this Government has delivered the nation’s most significant national commemorative event in history. The 100th anniversary of the landing of Australian and New Zealand forces at Gallipoli was commemorated on 25 April 2015 in Australia and New Zealand, as well as locations around the world, including the place of the landing at Gallipoli in Turkey.
Hundreds of thousands, possibly millions, of Australians actively participated in the commemoration of this watershed moment in our nation's history. In the biggest cities and the smallest towns and farming communities, Australians gathered in extraordinary numbers to pay their respects to all those men and women who have served our nation in all wars, conflicts and peacekeeping operations over more than a century of service.

**Why commemorate a Centenary of Anzac and a century of service**

Commemoration is a vitally important component of the support we provide returned men and women.

Providing financial and health care assistance through our world-leading repatriation system is a fundamental way of acknowledging service and sacrifice. Similarly, commemorating veterans' service is a nation's obligation to those who have served. As a society we owe it to veterans, and their families, to recognise their service and to provide validation and acknowledgment that their service and sacrifice was worthwhile and is respected.

The Centenary of Anzac is not just about commemorating those who fought in the First World War. The Anzac Centenary program is about a century of service: it commemorates and recognises the service of all those who have served in the Australian Defence Force over the last one hundred years.

It is a mistake to think that commemoration is somehow not important in validating the service of veterans. It is a mistake to think that the Anzac Centenary program is not recognising the service of contemporary veterans either. As I have said previously, it is most important that we do not repeat the mistakes of the past, such as the appalling way our Vietnam veterans were treated. The Centenary of Anzac is about commemorating service in all theatres in which Australians have served in war, conflict or peacekeeping operations.

The taxpayer support for the Centenary of Anzac, spread over more than 10 years, is consistent with the community's desire to honour those who have served our nation. Spending is measured – it is not excessive. Annually, government spending on commemoration represents less than 1 per cent of the entire $12 billion Department of Veterans' Affairs' budget for pensions, compensation and health care treatment for veterans and their families.

Within Australia, funding for the Centenary of Anzac has included up to $125,000 per Federal electorate for community-based commemoration through the Anzac Centenary Local Grants Program. It funded the curtain raiser for the Anzac Centenary - the Albany Convoy Commemorative Event and included funding three quarters of the National Anzac Centre in Albany.

Domestically, other funded initiatives include:

- the program to Honour Australia's War Dead;
- the refurbishment of the Australian War Memorial's First World War galleries;;
- the 'Anzac Portal', an Online Educational and Community Portal;
- the Arts and Culture Fund;
- television programs on the ABC, such as *Anzac Girls* and *The War that Changed Us*;
- the digitisation of selected First World War repatriation records; and
- the development of the short films and audio excerpts from the digitised Australians at War Film Archive.

Internationally, the Commonwealth has recently supported:

- commemorative events in Gallipoli and France;
- the protection and preservation of HMAS *AE2*;
• the dedication of the new Australian War Memorial in New Zealand's Pukeahu War Memorial Park in Wellington;
• the development of the Australian Remembrance Trail, a tri-partite investment between the Australian Government and French and Belgian regional and local authorities.

The Commonwealth has announced funding to support major commemorative events at Fromelles, Pozieres, Polygon Wood, Be'eer Sheva and Le Hamel to mark the centenary of battles fought in these locations. Funding will also support a series of domestic commemorative events to mark these events, as well as other significant military anniversaries such as Victory in the Pacific, the 75th anniversary of the Fall of Singapore and service on the Thai-Burma railway, and the 50th anniversary of the Battle of Long Tan and the Vietnam War.

Further, the Prime Minister has announced that the Australian Government will establish the Sir John Monash Centre at the Australian National Memorial at Villers-Bretonneux, France, to tell the story of Australia's contribution to victory on the Western Front during the First World War. I acknowledge the bipartisan support all of these initiatives have received.

Our support for the Centenary of Anzac is in no way at the expense of our ongoing support for veterans and their families. For example, DVA's annual Budget of around $12 billion includes more than $6 billion in financial assistance to veterans, and more than $5 billion in health treatment costs. Further, every year we spend at least $179 million on dedicated mental health treatment and support for veterans and their families. This funding is demand driven and is not capped.

Since the last election, the Government has issued two Ministerial Statements about the Centenary of Anzac. This statement, the third, looks back at events of Anzac Day 2015, but also forward to the remainder of the commemorative programme until the 100th anniversary of Armistice Day on 11 November 2018.

**Anzac Centenary Local Grants Program**

The Centenary of Anzac captured the interest and imagination of communities right across Australia. Consistent with the Government's pre-election commitment, community-based commemoration was at the heart of the Centenary of Anzac commemorations.

The Government's Anzac Centenary Local Grants Program provided up to $125,000 per Federal electorate to support community-based commemoration. Across 150 electorates almost 1,800 individual projects sought funding. Applications from local groups have shown a high level of community engagement, innovation and educative value.

Examples of projects supported under the program include:
• an exhibition entitled, 'In Memory', honouring Aboriginal servicemen and women of the South Coast of New South Wales, which will be partially funded through a $10,000 grant provided to Shoalhaven City Council;
• in Melbourne's northern suburb of Meadow Heights, the Northern Turkish Family Association will conduct an Anzac Day commemoration, with $3,000 from the Australian Government;
• at Deception Bay in Queensland we have provided more than $30,000 for a new war memorial commemorating the Centenary of Anzac;
• in South Australia, a grant of almost $35,000 assisted in the re-enactment of the initial troop marches associated with the enlistment of troops in 1914;
• the placement of photos of First World War soldiers in prominent places around Bunbury and nearby towns in Western Australia, through a $3,173 grant to the Bunbury RSL Sub-branch;
• a grant worth $1,000 assisted the Liffey Old School Hall group to restore the Avenue of Honour which passes by the Hall in rural Tasmania;
the St Paul's Primary School in Darwin has installed a flagpole and plaque to commemorate the Centenary of Anzac, courtesy of a grant of $2,333;

- the Woden Valley RSL sub-branch received a grant worth $6,000 to publish a book titled 'We Will Remember Them – Canberra's War Memorials'; and

- the 'Centenary of ANZAC Jewish' program at the Sydney Jewish Museum, which will be partially funded through four grants worth $47,760 awarded to the Museum.

I want to take this opportunity to thank those members of the community who joined local electorate committees, hosted by Members of the House of Representatives, to assist in the assessment of projects at a local level. Your enthusiasm ensured the success of this program. I also wish to pay tribute to all colleagues in the other place for their work in making this program the success it has been.

**Travelling Exhibition**

On 25 March this year, the Prime Minister, together with the CEOs of Telstra and the Commonwealth Bank of Australia, launched the *Spirit of Anzac Centenary Experience*, or SACE.

The SACE will be a national, travelling exhibition bringing the story of Australia and the First World War to 23 communities across Australia. Beginning in Albury-Wodonga in September this year, the SACE will give communities the chance to gain a deeper understanding of what Australia, and Australians, did during the First World War. This free exhibition will visit all states and the Northern Territory, concluding in Sydney in April 2017.

The partnership between the Australian Government, Telstra and the Commonwealth Bank, who are jointly funding this project, is greatly valued. I want to thank the two organisations for their shared passion for this project. I also want to welcome Brigadier Alison Creagh CSC (Ret'd) as the Executive Director of the project. Brigadier Creagh brings a lifetime of experience in the Australian Army to assist in the management of this considerable project.

I also welcome the Hon Tim Fischer AC as Envoy. Tim Fischer, a veteran of the Vietnam War, is a former deputy prime minister and ambassador. Tim has enormous energy and interest in the First World War which will serve him well in this role.

The Australian War Memorial is responsible for the content of the exhibition. The Memorial's team supporting the SACE is led by Major-General Brian Dawson AO (Ret'd) and the Memorial's team of curators have searched through their extensive collection to find a number of items which will tour, giving those Australians who cannot visit the Memorial in Canberra the chance to see part of our national collection.

The Chiefs of Army, Navy and Air Force have been passionate supporters of the SACE. I welcome their agreement to provide financial support for the SACE, ensuring the project can reach as many locations around Australia as possible.

The SACE will be the biggest undertaking of its type since the Bicentenary travelling exhibition more than 25 years ago. It will be a once in a lifetime experience and I encourage all Australians to make a special effort to attend the SACE when it visits a town or city close to them.

**Australian War Memorial New Zealand**

One hundred years on from the landing at Gallipoli, and 14 years after the dedication of New Zealand's memorials on Anzac Parade in Canberra, the Prime Minister officially dedicated the Australian War Memorial in New Zealand's new Pukeahu War Memorial Park in Wellington.

The Australian Memorial is the first international memorial to open in the new park in Wellington, and sits directly opposite New Zealand's National Carillon and the Tomb of the Unknown Warrior. Linked by 'Anzac Square', this special memorial underlines the deep and abiding connection between our two nations.
The new Memorial features 15 red stone columns, inset with black granite. Seven of the columns contain the names of 21 theatres and operations where Australians and New Zealanders have served alongside each other. Others feature Indigenous and Maori artwork.

The fifteenth, and central, pillar is emblazoned 'Anzac'. As the Prime Minister noted in his speech at the dedication:

On the central pillar of this memorial is inscribed one word: 'Anzac'.

Charles Bean, Australia's first and finest war correspondent, once wrote: "Anzac stood, and still stands, for reckless valour in a good cause, for enterprise, resourcefulness, fidelity, comradeship and endurance that will never own defeat".

This Memorial, funded by the Howard government in the 2006-07 Budget, will stand for ever more as a testament to the shared bond between our two nations, a timeless reminder of our two nations' shared values, service and sacrifice.

**Anzac Day 2015**

The commemoration of Anzac Day 2015 involved many hundreds of communities right across Australia. Australians young and old actively participated in their own way to mark this defining moment in our nation's history.

**Australia**

Crowds at Dawn Services in Australia continued to increase. The Australian War Memorial reported the largest crowd, at over 100,000. Major regional dawn services, such as at Torquay in Victoria, Albany in Western Australia and Elephant Rock in Queensland, continued to see large crowds. Marches in many cities saw their largest attendance in many years. Community enthusiasm for Anzac Day is arguably at its highest level in a generation.

**Gallipoli**

A crowd of 10,043 attended the Dawn Service at the Anzac Commemorative Site in Turkey on Anzac Day and participated in a solemn and dignified commemorative ceremony at the place where, 100 years earlier, ANZAC forces had landed.

A total of 7,766 Australians attended the Dawn Service and the Australian service at Lone Pine and 1,935 New Zealanders attended the Dawn Service and the New Zealand service at Chunuk Bair. All three services were attended by 342 official guests representing Australia, New Zealand, Turkey and twelve other nations directly involved in the Gallipoli campaign in 1915.

On behalf of the Australian Government, I would like to again place on the record our grateful thanks to the Government and people of Turkey, our most generous hosts. It is a rare thing indeed for two nations, once enemies, to be such firm friends. It is even rarer for the nation who was once our foe to welcome us so warmly to the place where the landing took place in 1915. We indeed have a special relationship, one which the Australian Government hopes will continue long into the future.

I am pleased to report that all 8,120 Australian attendance passes for the dawn service were allocated. The waitlist which had been established following the draw of the ballot in March 2014 operated as it was intended. 7,320 Australians were offered, through the ballot and the waitlist, a double attendance pass to attend the services. 3,755 people accepted a double pass and 214 accepted a single pass. There were also 396 single passes allocated to students and their chaperones across all states and territories.

The Government, with the grateful assistance of Qantas, invited the widows of 10 Australian First World War veterans to attend the commemorations. These remarkable ladies, each accompanied by a carer, were active participants in the day's commemorative activities. At the Dawn Service, Mrs Niki Alldritt, whose husband Private Robert (Bob) Gregory Alldritt had served at Gallipoli, laid a wreath on behalf of all war widows. At the Australian ceremony at Lone Pine, Mrs Ann Beasley, whose husband
Lieutenant Frank Beasley also served at Gallipoli, laid a wreath on behalf of all war widows. It was a moving moment.

I would like to place on the record my personal thanks to the dedicated staff in my Department, and across government, who have worked for many years to make this event possible. They are to be commended for their personal dedication, and the professionalism of their team, in making this event a solemn, dignified and safe commemoration.

Villers-Bretonneux

On the Western Front, a crowd of 6,100 attended the Anzac Day dawn service at the Australian National Memorial at Villers-Bretonneux. This ceremony honours the 290,000 Australians who fought on the Western Front during the First World War; the Memorial records the names of more than 10,700 Australians who died in France and have no known grave.

The ceremony at Villers-Bretonneux, managed by the Australian Government with the grateful assistance of local French authorities, is becoming a major commemorative event for Australians visiting or living in Europe. I expect that, as the focus of the Centenary commemorations shifts to the Western Front, that more and more Australians will wish to attend this ceremony.

Other international services

Her Majesty the Queen led Anzac Day commemorations in London. The Australian Government acknowledges the decision of the Government of the United Kingdom to manage Anzac Day in London this year.

A crowd of more than 5,000 gathered for the Dawn Service at the Australian War Memorial in Hyde Park Corner, which was followed by a wreath laying ceremony at the Cenotaph in Whitehall and a thanksgiving service at Westminster Abbey.

In Belgium, the Minister for Foreign Affairs led Anzac Day, the first Ministerial visit to Belgium for Anzac Day in many years. Thousands of Australians are buried in Belgium; the cemetery at Toronto Avenue, the only all-Australian cemetery in Belgium, hosted a large crowd for the morning's commemorative service.

Australians also gathered in large numbers at Hellfire Pass in Thailand; Isurava and Bomana in Papua New Guinea; Sandakan in Malaysia; in Vietnam and throughout New Zealand. Many Australian missions across the world also marked Anzac Day.

Sir John Monash Centre

On 26 April the Prime Minister announced the winning design for the Sir John Monash Centre which is to be constructed at the Australian National Memorial at Villers-Bretonneux in France.

The Centre will tell the story of the extraordinary efforts of the 290,000 Australians who served with such distinction on the Western Front during the First World War. More Australians died on the Western Front than on Gallipoli or in the Sinai combined. It is appropriate that we tell our nation's story of service and sacrifice not only to Australians who visit the former battlefields of northern France and Belgium, but to Europeans who are eager to better understand our engagement during the First World War.

The Centre will educate a new audience about Australia's significant role on the Western Front and provide a lasting international legacy from the Centenary of Anzac. To achieve this, it will offer an evocative and educational experience for visitors of all nationalities.

Sir John Monash was the engineering genius and citizen soldier whose leadership broke the stalemate on the Western Front in 1918. The Battle of Villers-Bretonneux was fought on ground around the Australian National Memorial and, from the Memorial, the site of Monash's famous victory at Le Hamel can be seen. It is right that our nation's greatest leader from the First World War is honoured at this Centre.
The winning architects, Cox, have developed a concept which will see the Memorial's original plan finally completed. The design in no way detracts from the stately grandeur of the Memorial. Further, as a technology-based museum, the Centre will complement the Franco-Australian Museum at the Victoria School in Villers-Bretonneux, as well as acting as a starting or finishing point for the Australian Remembrance Trail. It will be completed by Anzac Day 2018, the 100th anniversary of the Second Battle of Villers-Bretonneux which was won by Australian forces on 24/5 April 1918.

**Western Front**

More than 90 per cent of the Australian Imperial Force served on the Western Front during the First World War. More than 75 per cent of the Australians who died in the First World War died on the Western Front. It is critical that the service and sacrifice of the men who fought on the Western Front are as well understood as are the stories of Gallipoli.

Immediately following the Gallipoli commemorations I travelled to France to see first-hand early preparations for centenary commemorations there in 2016. I also met with Belgian authorities to discuss their plans for commemoration in 2017, and particularly to discuss plans to commemorate the Battle of Passchendaele which, in October 1917, resulted in almost 7,000 Australians killed in action.

The Government has announced funding to support international commemorative events at Fromelles (19 July 2016), Pozieres (23 July 2016), Polygon Wood (26 September 2017), Le Hamel (4 July 2018) and the Australian National Memorial (Armistice Day, 11 November 2018). This funding is over and above funding for annual Anzac Day services at the Australian National Memorial in France, and events in Belgium.

The funding will provide additional security, seating and logistical support to these events. In some cases, such as Fromelles, commemorative services may be conducted across two or three locations, such is the small size of the cemeteries where events could take place. These plans will continue to be worked on and announced in due course.

There will be no ballot for Australians to attend commemorative events run by the Australian Government on the Western Front.

**Be-er Sheva**

The exploits of the Australian Light Horse in the deserts of Palestine and the Sinai from 1916 to 1918 deserve to be better known. The Light Horse victory at Be’er Sheva, one of the best known cavalry charges in history, was a highlight of the epic campaign led by Australian and New Zealand mounted horsemen that advanced from the Suez Canal to Jerusalem and onto Damascus and which broke the Turkish Ottoman army. Too few Australians know about these stories.

It is right that Australia commemorates the 100th anniversary of the Battle of Be’er Sheva. The Government has provided funding to enable a commemorative ceremony to take place in Israel on 31 October 2017 to mark this event.

I want to acknowledge the significant interest amongst the Australian Jewish community to see this event appropriately acknowledged and commemorated. Australia’s role in the liberation of the Sinai region from Ottoman rule ultimately led the creation of the state of Israel. The Government will work with the Jewish community in Australia to ensure that events in both Israel and Australia appropriately commemorate the importance of this event.

**Budget 2015-16**

Funding in this year's Budget will deliver the Government's commitment to honour not just events on the Western Front and Be'er Sheva, but key anniversaries throughout the century of service.

**Lone Pine**

The Government will provide additional financial support for a commemorative event at Gallipoli on 6 August 2015 to mark the 100th anniversary of the Battle of Lone Pine and the August Offensive.
The Lone Pine ceremony will take place at 5pm on 6 August 2015 at the Lone Pine Cemetery. The attack at Lone Pine began in the early evening of 6 August 1915 and it is appropriate that, 100 years on, we mark this event at this time.

The August Offensive, which this ceremony will commemorate, was the last great push by the Allies against Turkish forces. Four days of intense fighting cost more than 2,000 Australians killed or wounded. This ceremony will particularly honour them. The service also provides those Australians who were unable to attend Gallipoli on Anzac Day with the chance to visit and participate in a commemorative event.

This ceremony will not be balloted. In coming weeks, my Department will provide advice via its website about arrangements for the ceremony. Consistent with arrangements for Anzac Day, however, those wishing to attend are encouraged to book with a tour group. Further, infrastructure at the site is limited – there is no running water, permanent toilet facilities or electricity. It can also be extremely hot in Turkey in August. Those wishing to attend are encouraged to consider these points in their preparation.

**Century of service**

The exploits of the original Anzacs were a major focus of Anzac Day 2015. However, as we move through the remainder of the Centenary of Anzac, our focus broadens not just to the remainder of the First World War campaigns involving Australians, but also to significant events in subsequent conflicts involving Australians.

Last week, I accompanied seven veterans of the Second World War to Paris and London to commemorate the 70th anniversary of Victory in Europe commemorations. The veterans of the Royal Air Force and the Royal Australian Air Force were warmly welcomed by their hosts, the French President and Her Majesty the Queen, and warmly acknowledged for their role in the liberation of Europe from the forces of Nazism.

Next month a mission of eight Australian Second World War veterans will travel to Borneo to commemorate the 70th anniversary of Operation OBOE. And in September a mission to Papua New Guinea will commemorate the 70th anniversary of the unconditional surrender of the Japanese.

In August this year, the Australian Government will mark the 70th anniversary of Victory in the Pacific with a series of commemorative events across the nation. I am pleased to announce that, in cooperation with the Returned and Services League of Australia, commemorative events will take place across the country to honour the men and women who defended Australia during the Second World War. Sadly, age is wearying our surviving Second World War veterans and this anniversary may provide the last significant opportunity for Australians to honour their service. Further details about the commemorative programme will be released shortly.

I can also announce that funding has been allocated to support a series of domestic commemorative events to mark the 75th anniversary of the Fall of Singapore and the completion of the Thai-Burma Railway. These two events will be conducted at the Australian ex-Prisoner of War Memorial in Ballarat, and will be funded by the Australian Government.

Significant 65th anniversaries associated with the Korean War will be marked at the Australian War Memorial. A veteran commemorative mission will return to the Republic of Korea in October 2016 to commemorate on United Nations Day the significant battles of the Korean War in which Australians were involved.

**Vietnam**

In 1962 Australian Army members as part of the Australian Army Training Team Vietnam (AATTV) arrived in South Vietnam as part of Australia's initial deployment to the ongoing conflict in Vietnam. On 25 May 1965 Australian troops from 1RAR commenced their deployment to South Vietnam, marking the beginning of the employment of Australian combat units in the Vietnam War.
Coming years mark significant 50th anniversaries for events which took place in Vietnam during the Vietnam War. In 2016 we will mark the 50th anniversary of the Battle of Long Tan, the anniversary of which has come to be the day when this nation honours all those who served in the Vietnam War. Other anniversaries for the Battle of Fire Support Base Coral and Fire Support Base Balmoral, and the Battle of Binh Bah, will also occur in 2018 and 2019 respectively. These are significant anniversaries which deserve to be marked by a nation grateful for the service of those who fought in them.

Later this month I will announce the details of the Government's plans to commemorate the 50th anniversary of the Battle of Long Tan, marking 50 years since Australian forces fought in the Vietnam War. I view these commemorations as being as important as the commemoration of events during the First and Second World Wars.

Boer War and Peacekeeping Memorials

Consistent with the Government's pre-election commitment, the Budget also extends Deductible Gift Recipient status to the Boer War Memorial Project and the Australian Peacekeeping Memorial Project until 31 December 2017. I encourage both of these organisations to use this extension to actively seek financial support for the establishment of their memorials. This extension comes at a cost of $1.4 million to the Commonwealth, and is on top of $200,000 in seed funding provided to each organisation.

Official Histories

Official histories provide a comprehensive account of Australia's involvement in conflict, peacekeeping and overseas humanitarian missions from the beginning of the twentieth century to the present.

Starting with the First World War, the Australian War Memorial has been responsible for the compiling of official and authoritative histories of Australia's involvement in wars and conflicts. The first, authored by Charles Bean, tells the story of Australia's involvement in the First World War. Subsequent histories include the Second World War, Korean War and south-east Asian conflicts, including the Vietnam War.

The Howard government commissioned the authoring of an Official History of Peacekeeping Operations between 1946 and 2006. After some delays, this work has been fast-tracked and will be completed by mid-2016. This fifth series tells the story of more than 60 years of peacekeeping service by Australians throughout the world.

The sixth series in our national collection of Official Histories will focus on Australia's involvement in East Timor, Iraq and Afghanistan. To be completed by mid-2022, the histories will give an authoritative account of Australia's involvement in these conflicts.

Australian involvement in Iraq and Afghanistan has been complex and long-running, and is of sufficient magnitude and complexity to warrant an official history. As many as 40,000 Australian Defence Force personnel may have served in or supported these conflicts over 13 years of operations; 43 Australians were killed in action in these conflicts and many hundreds wounded.

In the case of East Timor, Australia's involvement from 1999 to 2012 was instrumental in the country gaining independence and moving forward in stability and prosperity. The International Force East Timor deployed from 1999 to 2000 was Australia's largest peacekeeping mission to date, as well as the largest overseas military deployment since the Vietnam War.

The service of the men and women of the Australian Defence Force who have served in these operations deserves to be told.

The Australian community has been seized by the opportunity of the Centenary of Anzac to look back upon our nation's history. It has given people the opportunity to discover the service of a relative who did not return from the battle, or to speak to those who did about their own experiences.

In my first statement on the Centenary of Anzac, I said:
The Centenary of Anzac will be this nation’s most defining period of national commemoration. Through this period, when we commemorate a Century of Service, Australians will be asked to consider three things:

Where we fought;
When we fought; and perhaps most importantly
Why we fought and the values we fought for.

The Centenary of Anzac is a period for all of us to reflect on past sacrifice, to understand that the nation we have today is the result of the sacrifice of 102,785 Australians killed in action, the hundreds of thousands wounded in action and the more than one million Australians who have worn the uniform of the Australian Defence Force.

The Coalition Government is absolutely committed to the commemoration of the Centenary of Anzac, from events in Rabaul and Gallipoli to the Western Front and the Middle East.

We are well on track to deliver this, as well as leaving a lifelong understanding amongst younger Australian, in particular, that Anzac means service and sacrifice. It is future generations of Australians who will carry the torch of remembrance.

The Centenary of Anzac is far from over. As the Prime Minister has said: "Gallipoli was a splendid failure; the Western Front was a terrible success and we should recall our victories as much as our defeats." Our focus will soon shift to the commemoration of these events.

We have a duty to honour the memory of the men and women who served our nation with such distinction and whose names are listed in the cloisters at the Australian War Memorial.

A nation that fails to remember is a nation that fails itself.

Senator PAYNE: by leave—I move:
That the Senate take note of the document.

Senator REYNOLDS (Western Australia) (17:24): I rise to take note of the ministerial statement on the Centenary of Anzac and the Anzac celebrations at Anzac Cove this year. Last night I was very fortunate to be able to share with this place my story and my family's story of our pilgrimage to Gallipoli as four of the very lucky ballot holders to go and join in the ceremonies there. I shared a little bit about my own family journey and the family story of our experience in learning more about my grandfather, who never talked about war and never valued any of his mementos or anything that reminded him of his four years in war.

One of the most wonderful things that I think has happened very organically now is that, through the Centenary of Anzac activities, we are capturing more and more of the individual stories of the men and women who served in World War I. While the stories of many of these servicemen in particular are now lost to time, save a family's note to them on their gravestone or their service records, wonderfully, what I have experienced myself now is that, through historians and the increasing work of families, people are going back and trying to recover and preserve as much of the family history of their World War I veteran relatives as they possibly can. How that is now evolving is truly a wonderful thing.

For example, before I went to Gallipoli, I attended several RSL Anzac Day ceremonies. One of the things that were very clear was that, even at the local community level, not just through RSLs but through schools and other community groups, people are now looking very carefully and closely at who served in their local community. They are capturing the stories of very ordinary Australians who did extraordinary things in the service of their country in World War I.
For example, in the RSL in my local area of Kalamunda in Perth I found the story of Sister Agnes Tait, who was from Carmel in the hills. She was the only woman on the Kalamunda and districts RSL honour roll. Sister Tait, against her parents' wishes, trained as a nurse at the Perth public hospital and joined the Australian Army Nursing Service on 23 August 1915. Sister Tait served in Egypt, at a casualty clearing station in France and at base hospitals across Europe and England. She spent years tending to the dead, dying and critically injured. She spent the last two years of the war on a Red Cross hospital ship, comforting those who were finally returning home. Like everybody else, she eventually returned home—in this case, to Kalamunda—where she remained for the rest of her life, serving the community as a nurse. Sister Tait is just one of the thousands of examples of local community members who are being remembered.

I was also very fortunate to launch in Fremantle, on behalf of the Minister for Veterans' Affairs, a wonderful book called *Fremantle Voices of the Great War*. This was an astonishing achievement by Mr Pittaway and the Army historical society. They discovered that over 3,000 young men left the Fremantle community for the Great War and nearly a third of them never returned home. It is a wonderful book that captures what it was like at the time in Fremantle. The historians spent many years working with families, going through their records and pulling out family oral histories. It is a most remarkable record of the Fremantle community.

Melissa Parke, the member for Fremantle, was also at the launch. Interestingly, by sharing my story of my grandfather and her sharing her story of her great-uncle, we realised that the two of them served together at Gallipoli. In fact, they were both in the 3rd Field Ambulance, my grandfather leaving from Albany and her great-uncle leaving from Fremantle. They must have known each other and served together, tending the wounded and the dying at Gallipoli. You just never know quite where these linkages are going to come from.

My story that I shared last night and the thousands of other stories that are now coming to light not only help families preserve the memory of their family members, sometimes three generations ago now, but also make sure that these men and women are remembered. When we come together as a nation to commemorate all those who have served—not just those in World War I but in World War II, all the other conflicts we have been involved in and those we are involved in today—it gives families the understanding and ability to make sure that they capture the stories when they can. That is one of the many wonderful things that the Centenary of Anzac program is delivering to this nation. *(Time expired)*

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) *(17:30)*: I rise to speak on the ministerial statement on the Centenary of Anzac and to reiterate the sentiments of the Prime Minister, the Leader of the Opposition and, hopefully, the Minister for Veterans' Affairs, when he is able to get back from the War Memorial.

The Centenary of the Anzac landings on Gallipoli have given all Australians the opportunity to reflect on the sacrifices that our service men and women have made for our country. While the centenary recognises time passed since that conflict, the commemoration of Anzac has a much broader meaning. It is important that we as Australians remember that Anzac Day is a commemoration and a time of reflection. It is a time not only to reflect on the actions of the Anzacs 100 years ago but also to recognise the sacrifices and commitment of our men and women who are currently serving overseas far from home and their families.
While the Anzac legend is firmly rooted in the shores of Gallipoli, the values that the Anzacs represent have been practised by Australian service men and women ever since.

Anzac Day is our opportunity to recognise and thank all of those who have given themselves to protect our country. Many of my colleagues have spoken about the Anzac Centenary in past weeks. I share their admiration for those who have served, but I take this opportunity to make particular mention of the men and women who are currently serving overseas and the families who support them. There are approximately 2,750 Australians serving in 14 different operations globally. They are working in places like Iraq, Sudan and across the Middle East as well as closer to home. These people exemplify the best qualities of our military and community. They operate under challenging circumstances with dignity, compassion and professionalism. As they uphold the honourable values that we associate with the Anzac spirit, their families at home bear the heavy burden of an absent loved one. Service to our country puts immense distance between parents and children, husbands and wives, and brothers and sisters. We as a community have an obligation to those service families. While our loved ones are representing our country far from home, we must ensure that these families are appropriately supported. Provision of housing, health care, education and other essential services helps ease the burden of having a loved one away while on service related duties. Furthermore, this support must extend to our veterans once their service is complete. The spirit of Anzac demands that we stand by our people. Their service has earned our respect and our gratitude.

On behalf of this side of the chamber I sincerely thank all of the courageous people who have served our country throughout its history. The Anzac commemoration has been an opportunity for all Australians to thank you for your service. I congratulate the minister for overseeing an excellent program and an excellent centenary. It is a credit to him.

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (17:33): I thank Senator Conroy for his very generous comments. Hundreds of thousands, possibly millions, of Australians actively participated in the commemoration of the 100th anniversary of the Gallipoli landings on Anzac Day this year. In the biggest cities and the smallest towns and farming communities, Australians gathered in extraordinary numbers to pay their respects to all those men and women who have served our nation in all wars, conflicts and peacekeeping operations over more than a century of service.

Since the last election, the government has issued two ministerial statements about the Centenary of Anzac. This statement, the third, looks back at the events of Anzac Day 2015 but also forward to the remainder of the commemorative program until the 100th anniversary of Armistice Day on 11 November 2018.

Community enthusiasm for Anzac Day is arguably at its highest level in a generation. Crowds at dawn services in Australia continued to increase. There were huge crowds in capital cities, including here in Canberra. Major regional dawn services, such as at Torquay in Victoria, Albany in Western Australia and Elephant Rock in Queensland, continued to see large crowds. Marches in many cities saw their largest attendance in many years. I would like to place on the public record my thanks to those responsible for coordinating the Anzac Day activities across the country. I particularly acknowledge the Returned and Services League of Australia, the RSL, for their work. I know that many RSL subbranches were responsible for
working with local government, police and other services to coordinate community commemorative events involving large numbers of Australians. To the RSL, in particular, and other ex-service and service organisations who took on this responsibility I say a most sincere thankyou on behalf of the Australian government.

I also wish to place on the record how proud I am of the staff from my department and across the government who worked tirelessly to bring events in Gallipoli together. The people responsible are part of a small, dedicated and highly professional team of staff who bring together these services on Anzac Day. I echo the words of the Prime Minister when he said their planning was 'meticulous'. I add to this by saying, 'Thank you—you have done your nation proud.'

The Gallipoli dawn service was attended by 10,043 people at the Anzac Commemorative Site in Turkey on Anzac Day. On the Western Front, a crowd of 6,100 attended the Anzac Day dawn service at the Australian National Memorial at Villers-Bretonneux. Australians also gathered in large numbers in Belgium and in London, as well as at Hellfire Pass in Thailand, Isurava and Bomana in Papua New Guinea, Sandakan in Malaysia, in Vietnam and throughout New Zealand.

I turn to the budget. Funding in this year's budget will deliver the government's commitment to honour not just events on the Western Front and Be'er Sheva but key anniversaries throughout the century of service. The government will provide additional financial support for a commemorative event at Gallipoli on 6 August 2015 to mark the 100th anniversary of the Battle of Lone Pine and the August Offensive. The Lone Pine ceremony will take place at 5pm on 6 August 2015 at the Lone Pine Cemetery. Attendance at this ceremony will not be balloted. The attack at Lone Pine began in the early evening of 6 August 1915 and it is appropriate that, 100 years on, we mark this event at this time.

The August offensive, which this ceremony will commemorate, was the last great push by the Allies against Turkish forces. Four days of intense fighting led to more than 2,000 Australians being killed or wounded. This ceremony will particularly honour them. The service also provides those Australians who were unable to attend Gallipoli on Anzac Day with the chance to visit and participate in a commemorative event.

We have also allocated funding to mark the 50th anniversary of the Vietnam War. Later this month I will announce the details of the government's plans to commemorate the 50th anniversary of the Battle of Long Tan, marking 50 years since Australian forces fought in the Vietnam War.

I view these commemorations as being as important as the commemoration of events during the First and Second World Wars. The Centenary of Anzac is far from over. We have a duty to honour the memory of the men and women who served our nation with such distinction and whose names are listed in the cloisters at the Australian War Memorial. A nation that fails to remember is a nation that fails itself.

I seek leave to continue my remarks.

Leave granted; debate adjourned.
COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (17:39): The President has received letters from party leaders requesting changes in the membership of committees.

Senator PAYNE (New South Wales—Minister for Human Services) (17:39): by leave—I move:

That senators be discharged from and appointed to committees as follows:

Education and Employment References Committee—

Appointed—

Substitute member: Senator Rice to replace Senator Rhiannon for the committee's inquiry into Australia's temporary work visa programs

Participating member: Senator Rhiannon

Environment and Communications References Committee—

Appointed—

Substitute member: Senator Whish-Wilson to replace Senator Waters for the committee's inquiry into the fin-fish aquaculture industry in Tasmania

Participating member: Senator Waters

Foreign Affairs, Defence and Trade References Committee—

Appointed—

Substitute member: Senator Whish-Wilson to replace Senator Ludlam for the committee's inquiry into the mental health of returned Australian Defence Force personnel

Participating member: Senator Ludlam

National Broadband Network—Select Committee—

Discharged—Senator McEwen

Appointed—Senator McAllister.

Question agreed to.
BILLS
Norfolk Island Legislation Amendment Bill 2015
Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015
A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment Bill 2015
Health and Other Services (Compensation) Care Charges Amendment (Norfolk Island) Bill 2015
Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment (Norfolk Island) Bill 2015
Health Insurance (Pathology) (Fees) Amendment (Norfolk Island) Bill 2015
Aged Care (Accommodation Payment Security) Levy Amendment (Norfolk Island) Bill 2015
Private Health Insurance (Risk Equalisation Levy) Amendment (Norfolk Island) Bill 2015

First Reading
Bills received from the House of Representatives.

Senator PAYNE (New South Wales—Minister for Human Services) (17:39): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.

Bills read a first time.

Second Reading

Senator PAYNE (New South Wales—Minister for Human Services) (17:40): I move:
That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

NORFOLK ISLAND LEGISLATION AMENDMENT BILL 2015

Almost a year ago today, I provided a statement in this House on the critical issues facing Norfolk Island.

Today, I introduce a Bill that seeks to resolve these issues through a range of significant changes.

Norfolk Island is a small and remote community with a population of around 1,800 people.

Like any remote community, Norfolk Island has challenges in terms of service delivery, infrastructure maintenance and economic growth.

However, on Norfolk Island these challenges have only been magnified by a unique set of governance arrangements.

Under arrangements established in 1979, the Norfolk Island government is required to deliver all local, state and many federal services—more than any other government in Australia.
It is not reasonable to expect such a small and remote community to deliver these responsibilities effectively.

It is no surprise that services on Norfolk Island are well below the standard Australians typically expect.

In fact, there is almost a complete absence of the health and social services most Australians take for granted.

For instance, Norfolk Island is the only place in Australia where Australian citizens do not receive social security benefits and do not fully participate in the Australian taxation system.

Norfolk Island's problems are not new, but they are now critical.

There has been no significant infrastructure investment since the 1970s, and the Norfolk Island government has not had the capacity to maintain what was built then, or earlier.

The Island's Hospital is outdated.

The roads are deteriorating.

And the Island's electricity network is at risk of collapse.

The financial position of the Norfolk Island government is also dire.

The Australian government has provided in excess of $40 million in assistance since 2010 to keep essential services going.

But this assistance has not dealt with the underlying problems.

The Bills introduced today provide the structural reform needed to strengthen Norfolk Island and ensure its sustainability.

From 1 July 2016, the Norfolk Island community will have access to social security payments.

- Older Australians will be able to access the age pension.
- Families will be able to access a range of support payments such as family tax benefits.
- The community will also have access to Medicare and the Pharmaceutical Benefits Scheme and will no longer pay a separate Norfolk Island healthcare levy, which unfairly targets low income earners.
  In line with our election commitment, these benefits will be introduced with the taxation system.

From 1 July 2016, Norfolk Island residents will pay income tax and other direct federal taxes on all of their income, not just their income sourced from the mainland.

Federal taxes will replace a range of inefficient taxes and charges currently levied by the Norfolk Island government.

This includes a local goods and services tax and punitive customs charges. Both of these will be removed.

The Australian government will also extend the superannuation guarantee to Norfolk Island, to allow future generations to save for their retirement.

To minimise the impact on business, the guarantee will be phased in over the next twelve years.

Economic modelling has shown that the long term impact of these changes will be overwhelmingly positive.

According to the Centre of International Economics, Gross Territory Product is projected to increase by around 25 per cent, and household consumption will go up by 52 per cent.

However, the full application of Australia's social security and taxation system alone does not address the long-standing need for governance reform.

The need for governance reform is well recognised and has been the subject of numerous reports, inquiries and submissions over the last four decades.
Most recently, the Joint Standing Committee on the National Capital and External Territories concluded that governance and economic reform must occur together to give the community the greatest chance of recovery.

The Committee’s strong and bipartisan recommendation was that the Norfolk Island Legislative Assembly be transitioned to a Regional Council.

The Bill I am introducing today will achieve this.

Following the Bill’s commencement, the Norfolk Island Legislative Assembly and Executive Council will be dissolved, and a Local Advisory Council appointed to represent community views.

From 1 July 2016, a Norfolk Island Regional Council will be established to deliver an extended range of local services.

This Council will be elected by Islanders to represent Islanders.

Under this model local issues will be driven at the local level wherever possible, without placing unreasonable expectations on this small and remote community.

From 1 July 2016, New South Wales laws will gradually be applied on Norfolk Island to provide a modern body of state law.

The Australian government will also negotiate with the New South Wales government to expand the range of services it currently provides.

Other federal services will also be extended.

From 1 July 2016, the Australian migration system will replace the immigration arrangements currently maintained by the Norfolk Island government.

This will remove a key barrier to tourism and trade, and simplify travel arrangements significantly.

Customs and biosecurity services will also be provided by Australian government agencies.

These changes will bring Norfolk Island in line with other Australian communities and ensure services are delivered to a modern standard by the appropriate level of government.

Although common-sense, these reforms represent significant change for the local community.

Ultimately, our goal is to put Norfolk Island on a more sustainable footing.

It is about delivering growth and prosperity and protecting Norfolk Island’s cultural identity and rich heritage for generations to come.

I would like to thank the community for its active engagement to date and for showing such strong support for the reforms being implemented today.

The Australian government will continue to engage closely with the community during this process and into the future.

We are committed to doing what is needed to deliver a better future for all Australians, regardless of where they live.

TAX AND SUPERANNUATION LAWS AMENDMENT (NORFOLK ISLAND REFORMS) BILL 2015

The Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015 amends taxation and superannuation legislation to fully apply Australia’s income tax, Medicare Levy and superannuation guarantee system to Norfolk Island.

The Bill will see the taxation system apply to Norfolk Island in the same way it currently applies to mainland Australia, with the exception of indirect taxes including the GST, customs duty and excise duties.
This Bill will establish transitional arrangements which phase in the superannuation guarantee over the next twelve years.

This Bill also establishes transitional arrangements in respect of capital gains tax. This will ensure that Norfolk Islanders are only taxed on capital gains that accrue from 1 July 2016.

A NEW TAX SYSTEM (MEDICARE LEVY SURCHARGE—FRINGE BENEFITS) AMENDMENT BILL 2015


These amendments support the repeal of the Medicare Levy exemptions provided for by the Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015.

HEALTH AND OTHER SERVICES (COMPENSATION) CARE CHARGES AMENDMENT (NORFOLK ISLAND) BILL 2015

The Health and Other Services (Compensation) Care Charges Amendment (Norfolk Island) Bill 2015 supports the extension of the Health and Other Services (Compensation) Act 1995 to Norfolk Island.

The Bill ensures that Medicare benefits, nursing home benefits or residential care subsidies are recoverable from persons on Norfolk Island who receive compensation or damages through a judgement or settlement.

HEALTH INSURANCE (APPROVED PATHOLOGY SPECIMEN COLLECTION CENTRES) TAX AMENDMENT (NORFOLK ISLAND) BILL 2015

The Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment (Norfolk Island) Bill 2015 will ensure that the tax on the grant of an approval for a specimen collection centre under the Health Insurance Act 1973 and, for related purposes, also applies to persons who reside on Norfolk Island.

HEALTH INSURANCE (PATHOLOGY) (FEES) AMENDMENT (NORFOLK ISLAND) BILL 2015

The Health Insurance (Pathology) (Fees) Amendment (Norfolk Island) Bill 2015 works with the Health Insurance Act 1973, which is being amended in the Norfolk Island Legislation Reform Bill 2015.

This Bill relates to the fees payable for certain purposes of the Health Insurance Act 1973, such as the acceptance of an approved pathology authority undertaking and the approval of premises as an accredited pathology laboratory.

AGED CARE (ACCOMMODATION PAYMENT SECURITY) LEVY AMENDMENT (NORFOLK ISLAND) BILL 2015

The Aged Care (Accommodation Payment Security) Levy Amendment (Norfolk Island) Bill 2015 relates to the imposition of levies in respect of certain obligations to refund accommodation payment balances, and for related purposes.

This Bill is part of the broader Norfolk Island reform package, which implements the government's election commitment to fully apply mainland taxation and social security to Norfolk Island.
PRIVATE HEALTH INSURANCE (RISK EQUALISATION LEVY) AMENDMENT (NORFOLK ISLAND) BILL 2015

The Private Health Insurance (Risk Equalisation Levy) Amendment (Norfolk Island) Bill 2015 relates to the broader Norfolk Island reform legislative package which is being implemented through the Norfolk Island Legislation Reform Bill 2015.

The Private Health Insurance (Risk Equalisation Levy) Act imposes a risk equalisation levy on private health insurers, and for related purposes.

The Act is part of the Private Health Insurance arrangements which exist on mainland Australia which are to be extended to Norfolk Island through the Norfolk Island Legislation Reform Bill 2015.

Debate adjourned.

Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015

Migration Amendment (Strengthening Biometrics Integrity) Bill 2015

First Reading

Bills received from the House of Representatives.

Senator PAYNE (New South Wales—Minister for Human Services) (17:41): I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall move a motion to have the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator PAYNE (New South Wales—Minister for Human Services) (17:42): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

MIGRATION AMENDMENT (MAINTAINING THE GOOD ORDER OF IMMIGRATION DETENTION FACILITIES) BILL 2015

The Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, amends the Migration Act 1958 to support the government's commitment to strong border protection and the establishment of a safe and effective system of immigration detention.

The government has a responsibility to detainees and other people in our Immigration Detention Facilities to ensure that they are free from harm. The government is also responsible to ensure that these facilities themselves are in good order, peaceful and secure. In amending the Migration Act 1958 the government is providing those working in our detention facilities with the tools they need to protect the life, health or safety of any person, and to maintain the good order, peace or security of an immigration facility.

The amendments in this Bill address issues arising from incidents at a number of Immigration Detention Facilities, which highlighted uncertainty, on the part of the Immigration Detention Services...
Providers, as to when it may act when confronted with public order disturbances in Immigration Detention Facilities. This uncertainty was considered in the Independent Review of the Incidents at the Christmas Island Immigration Detention Centre and Villawood Immigration Detention Centre (the Hawke-Williams Report), conducted by Dr Allan Hawke AC and Ms Helen Williams AO in 2011. The Hawke-Williams Report recommended that the Department of Immigration and Border Protection more clearly articulate the responsibility of public order management between the Department of Immigration and Border Protection, the Immigration Detention Service Provider, the Australian Federal Police and other police forces who may attend an Immigration Detention Facility.

The amendments in this Bill provide a legislative framework for the use of reasonable force within Immigration Detention Facilities in Australia. Specifically, the Bill provides clear authority for the use of reasonable force in immigration detention in Australia to:

- protect a person’s life, health or safety; or
- maintain the good order, peace or security of the facility.

The provision of a legislative framework for the use of reasonable force will provide the Immigration Detention Service Provider with the tools needed to provide the first line of response and ensure the operation of the immigration detention network remains viable, against a backdrop of a change in the demography of Immigration Detention Facilities.

The onshore immigration detention network holds an increasing number of detainees who present behavioural challenges including:

- an increasing number of people subject to adverse security assessments;
- people who have been convicted of violent crime, drug or other serious criminal offences; and
- others deemed to be of a high security risk, such as members of outlaw motorcycle gangs.

The presence of high risk detainees with behavioural challenges has the potential to jeopardise the peace, good order and security of our Immigration Detention Facilities and the safety of all people within those facilities, including staff and visitors.

The use of reasonable force is not a new concept to the Migration Act 1958. Various provisions in the migration act authorise the use of reasonable force in specific circumstances. For example, it may be necessary in certain circumstances to use reasonable force to carry out identification tests. There are currently, however, no provisions in the Migration Act 1958 that authorise the use of reasonable force as proposed in this amendment.

In the absence of legislation, officers and staff of the detention services provider rely on common law powers, as conferred on ordinary citizens, to exercise reasonable force when it is necessary to protect themselves and others from harm or threat of harm. The extent of this authority is, however, limited.

Clearly, using reasonable force to manage issues of physical safety, good order, peace and security in an immigration detention facility is a matter for parliament to decide, not the common law.

This Bill provides for suitably trained and qualified Authorised Officers to use such reasonable force against any person or thing as the Authorised Officer reasonably believes is necessary to:

- protect the life, health or safety of any person in an Immigration Detention Facility; and
- maintain the good order, peace or security of an Immigration Detention Facility.

In particular, the bill provides for an Authorised Officer to use reasonable force if that officer reasonably believes it is necessary to:

- protect a person from harm or a threat of harm;
- protect a detainee from self-harm or a threat of self-harm;
prevent the escape of a detainee from an Immigration Detention Facility;
prevent a person from damaging, destroying or interfering with property in an Immigration Detention Facility;
move a detainee within an Immigration Detention Facility;
prevent action in an Immigration Detention Facility by any person that endangers the life, health or safety of a person or disturbs the good order, peace or security of that facility. For example the detention service provider having to use reasonable force to separate visitors who are fighting.

The Bill inserts into the *Migration Act 1958* the new definition of 'Immigration Detention Facility', that is: a detention centre established under the *Migration Act 1958*, or a place approved by the Minister as a place of immigration detention. This restricts the powers in this Bill to Immigration Detention Facilities in Australia, including Christmas Island.

The Bill inserts a provision that prevents the Minister or the Secretary from authorising an officer as an Authorised Officer unless the officer satisfies the training and qualification requirements determined by the Minister in writing.

The Bill inserts provisions that specifically limit the exercise of the power to use reasonable force by Authorised Officers, preventing them from doing any of the following:

- using reasonable force to give nourishment or fluids to a detainee in an Immigration Detention Facility;
- subjecting a person to greater indignity than the officer reasonably believes is necessary in the circumstances; and
- doing anything likely to cause a person grievous bodily harm, unless the officer reasonably believes that doing so is necessary to protect the life of, or to prevent serious injury to, another person (including the Authorised Officer).

Provided the reasonable force is exercised in good faith, the bill bars court proceedings against the Commonwealth, including an Authorised Officer. This provision provides the appropriate balance between protecting Authorised Officers in the exercise of the power to use reasonable force and ensuring that the power is exercised in good faith. The provisions in this Bill send a clear message to Authorised Officers that force is not to be exercised capriciously or inappropriately.

To further ensure that the use of force will not be abused, the Bill will provide for a statutory complaints mechanism. This mechanism will allow a person to complain to the Secretary about the exercise of the power to use reasonable force. The amendments will require the Secretary to provide appropriate assistance to any complainant.

This complaints mechanism does not restrict a person from making a complaint directly to another source such the State, or Territory police services, the Australian Federal Police or to the Ombudsman. An appropriate complaints mechanism is an important accountability measure in relation to the exercise of the power to use reasonable force.

The government considers that safe and effective immigration detention policies and strong border security measures are not incompatible. This legislation strikes an appropriate balance between maintaining the good order of a facility and the safety of the people within it and the need to ensure that the use of force is reasonable, proportionate and appropriate. The government is maintaining strong border security measures, but is ensuring that all people in Immigration Detention Facilities, including the detainees themselves, are safe from harm.

The preparation for the passage of this Bill includes the introduction of risk mitigation measures and governance controls. These measures will be in place and ready for the implementation of this legislation.
These measures include:

- development and implementation of appropriate governance instructions and administrative arrangements to guide Authorised Officers in the use of reasonable force;
- establishment of agreed protocols for the handover of responsibility for dealing with disturbances in immigration detention facilities between the department, the detention service provider, the Australian Federal Police, State and Territory police forces;
- ensuring Authorised Officers meet capability and training standards, and hold appropriate qualifications to enable them to appropriately use reasonable force in Immigration Detention Facilities; and
- use of rigorous incident reporting mechanisms for advising of all instances where reasonable force is used in Immigration Detention Facilities.

In conclusion, the government will continue to use immigration detention as a tool to manage compliance with Australia’s migration law and the removal of those who have no right to remain in Australia. Immigration detention will continue to support the orderly processing of migration to our country.

I trust this Bill will have the support of members, most particularly those with an interest in ensuring the safety of all people in Immigration Detention Facilities, and I commend it to the Senate.

THE MIGRATION AMENDMENT (STRENGTHENING BIOMETRICS INTEGRITY) BILL

I am pleased to introduce the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015 on behalf of the government.

The amendments to be made by this Bill support changes introduced last year by the Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014. The Foreign Fighters Act, among other things, addressed the emerging threat of Australians seeking to travel overseas to fight with terrorist organisations. Importantly in the context of this Bill, it also enhanced the capability of the Department of Immigration and Border Protection to identify persons seeking to enter and depart Australia, and non-citizens who remain in Australia.

The amendments to be made by this Bill support the Prime Minister's National Security Statement on 23 February 2015 that further legislation to combat terrorism and keep Australians safe would be brought forward.

Recent terrorism-related events in Australia and globally serve to remind us that the threat of a domestic terrorist attack remains real. This Bill further strengthens Australia's border protection measures by enhancing the capability of the Department to identify persons seeking either to enter or depart Australia, and non-citizens who remain in Australia.

Measures in the Bill focus on biometrics, termed 'personal identifiers' in the Migration Act which are a unique identifier that is based on individual physical characteristics, such as facial image, fingerprints, and iris, which can be digitised into a biometric template for automated storage and checking.

The Department commenced collecting biometrics, facial images and fingerprints, from particular cohorts of non-citizens in 2006, and has progressively expanded its biometric collection programme using a risk-based approach. For example, in 2010, the Department commenced collecting biometrics from non-citizens applying for protection in Australia, and from overseas applicants for visas in particular higher risk countries.

Biometrics are an important integrity measure that contribute significantly to protecting Australia’s border, and preventing the entry of persons who may threaten the Australian community. Once anchored to a person's biographic information, such as name, nationality and date of birth, a biometric
adds significantly to the Portfolio's capability to verify that a person is who they claim to be, and links an individual to security, law enforcement, and immigration information.

Biometrics are more accurate than document-based checks of biographic detail, such as name, date of birth and nationality because they are relatively stable over time and are significantly more difficult to forge. As the utility of collecting biometrics rests on a foundation of accurate identification, fingerprints provide higher integrity identity assurance than identity documentation or facial images.

The Department has made more than 9,000 fingerprint matches with Australian law enforcement agencies and the immigration agencies of other countries. These matches have revealed undisclosed security and criminal histories, as well as discrepancies between the biographic data provided to the Department and that provided to another agency.

As Minister for Immigration and Border Protection, I regularly review immigration cases where biometrics have been utilised by the Department to expose identity and/or immigration fraud. This includes individuals who have returned to Australia – or tried to return – under assumed identities, years after being removed from this country. Some others have attempted to gain protection here under assumed identities when they already have protection in safe third countries.

Current biometric measures have exposed fraudulent and illegal activity in these instances, but the sophistication of the technology used to enter Australia illegally strains the resources of Australia's border protection agencies each day. It is the government's duty to ensure our laws are equal to the task which is faced by our border agencies. That is, while the current biometric programme has effectively supported Australia's border protection efforts since it was introduced more than ten years ago, it now needs to be updated to more effectively meet current threats and to keep pace with advances in biometric technologies.

The Bill provides for a simplified scheme to collect biometrics, particularly fingerprints, but does not introduce a universal biometrics collection policy. The Department will continue to facilitate the smooth travel to Australia of the overwhelming majority of people who are legitimate travellers and law-abiding people, without collecting additional biometrics.

While acknowledging the impact on travellers in circumstances where a certain amount of identity verification is required, the increased collection powers are proportionate to the legitimate purpose of protecting the Australian community and the integrity of the migration programme.

The Bill will address gaps in the existing biometric legislative framework and replace seven existing provisions in the Migration Act, which separately authorise the collection of biometrics in particular circumstances, with a single broad discretionary power to collect biometrics for the purposes of the Migration Act or the Migration Regulations.

Streamlining the existing multiple provisions will remove inconsistency and duplication, and enhance the Department's efforts to achieve important government policy objectives. These include removing current restrictions on the circumstances where biometrics can be collected, and providing flexibility in the collection of biometrics from citizens and non-citizens who are arriving and departing Australia.

The Bill provides a broader power to collect biometrics from non-citizens who have been identified as of concern after their arrival, and from behaviour while living in the Australian community.

Significant numbers of non-citizens have not had identity, security and criminal history checks conducted under the Department's biometric programme, either because of the timing of their entry into Australia, or because of their method of arrival.

Only a small number of non-citizens are required to provide their biometrics for checking each year. In 2013/14, less than two per cent of non-citizens granted a visa to come to Australia provided biometrics to the Department. As a result, the higher integrity identity, security, law enforcement and
immigration history checks that are possible using biometrics, have only been conducted on a small number who have travelled to Australia since 2007.

Non-citizens who may be required to provide biometrics include those under investigation by immigration officers for identity fraud or breaches of visa conditions. Biometrics may also be required from an individual who is suspected of failing to disclose adverse information when they applied for their visa.

Biometrics collected will be used to conduct additional checks with domestic and international agencies to link individuals to security, law enforcement, and immigration information known to other agencies, but which the individual has not disclosed to the Department. The ability to verify information against data held by Five Country Conference partners as well as domestic agencies provides greater integrity to the immigration system, protection against the spread of terrorism and human trafficking and will assist in resolving the current asylum seeker caseload.

While the Bill will continue to allow the collection and use of biometrics at the border, recent examples of Australians leaving to participate in foreign conflicts have highlighted the need for additional actions to detect such persons at the border. The example of convicted terrorist Khaled Sharrouf who in December 2013 used his brother's passport to leave Australia to participate in terrorist-related activities illustrates the need for fingerprint-based checks. The collection measures in this Bill provide the tools to stop people like Khaled Sharrouf at the border due to the higher level of accuracy in identifying individuals provided by fingerprint verification.

The Bill provides for a framework to enable manual fingerprint-based checks to be carried out using mobile, hand-held devices to detect persons of concern. The checks will be conducted at airports and seaports and will take 20-40 seconds to complete. A traveller's identity will be checked against immigration and security agency data holdings using up to four finger images. The images will not be retained following completion of the check.

This enhanced capability to conduct meaningful cross-checks with relevant agencies' data holdings will respond to potential alerts or threats before someone boards an aircraft or ship, or is cleared to move into the Australian community.

These mobile devices will also be deployed for use in other circumstances to assure the identity of non-citizens during key transactions with the Department.

The Bill will remove existing restrictions in the Migration Act on collecting biometrics from minors and incapable persons, to address current inconsistencies in the Migration Act where certain restrictions on collecting biometrics do not apply at Australia's borders, but do apply in other circumstances, such as at the time of applying for a visa.

The removal of existing restrictions on collecting biometrics from minors is primarily a child protection measure aimed at preventing child trafficking and/or smuggling. Collecting personal identifiers, particularly fingerprints, from children will permit a higher level of integrity in identifying minors overseas where known cases of child smuggling and trafficking reveal higher risk. This includes conducting fingerprint-based checks against lists of missing or abducted children with countries of suspected origin as well as against Interpol missing persons records. Fingerprints provide a unique capability to accurately identify individuals that is not possible using a facial image, particularly if the person is a minor. Unlike a facial image, which is subject to considerable change as a person ages into adulthood, fingerprints are relatively stable throughout a person's lifetime.

Further, Australia, like the United States, the United Kingdom and many other countries face the return of potentially radicalised minors after participating in conflicts in the Middle East and elsewhere. While it is an uncomfortable proposition that a minor may be capable of involvement in terrorist activities or extreme violence, the conflict in the Middle East has provided evidence of the involvement of children. Through the Five Country Conference data sharing arrangements, Australia would be able to access fingerprint-based records of minors who may already be known to the security agencies of
other countries. Where a minor is suspected of involvement in a terrorist activity or serious criminal activity, fingerprints would enable searches of Five Country Conference partner databases and Australian law enforcement data holdings.

In conclusion, the Australian government is committed to fulfilling its most important responsibility—to protect Australia, its people and its interests. This Bill is an important part of preventing persons of risk from entering Australia and remaining in Australia undetected. The amendments will expand the Department of Immigration and Border Protection’s capabilities to identify individuals through biometric checks, which are more accurate than current document-based checks. The Bill creates a new legislative framework for collecting biometrics that will contribute to improved decision-making, whether the decision is to grant a non-citizen a visa to come to Australia, permit entry or departure at the border, or to allow a non-citizen to remain in Australia.

The government is serious about border protection. The measures in this Bill underscore that commitment.

I urge all members to support this Bill and ensure these necessary reforms.

I commend this Bill to the Senate.

Debate adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

**Customs Tariff (Anti-Dumping) Amendment Bill 2015**

**Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015**

**Returned from the House of Representatives**

Message received from the House of Representatives agreeing to the amendments made by the Senate to the bills.

**BILLS**

**Assent**

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

1 April 2015—Message No. 10—

Parliamentary Service Amendment Act 2015 (Act No. 26, 2015)


2 April 2015—Messages Nos—

11—

Appropriation Act (No. 3) 2014-2015 (Act No. 28, 2015)

Appropriation Act (No. 4) 2014-2015 (Act No. 29, 2015)


12—

Defence Trade Controls Amendment Act 2015 (Act No. 31, 2015)


13—


13 April 2015—Messages Nos—

14—

Migration Amendment (Protection and Other Measures) Act 2015 (Act No. 35, 2015)
Public Governance and Resources Legislation Amendment Act (No. 1) 2015 (Act No. 36, 2015).

15—


COMMITTEES

Community Affairs Legislation Committee
Economics Legislation Committee

Report

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (17:43): Pursuant to order and at the request of the chairs of the respective committees, I present reports on the Private Health Insurance Amendment Bill (No. 2) 2014 and the Competition and Consumer Amendment (Deregulatory and Other Measures) Bill 2015 respectively, together with documents presented to the committees.

Ordered that the reports be printed.

BILLS

Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator BACK (Western Australia) (17:44): I am very pleased to continue my remarks on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015. I remind those who are present and those listening that this bill proposes to amend the act to provide for financial and other arrangements for a Commonwealth authority which might care to exit the Comcare scheme. This has been prompted by the fact that the ACT government indicated in February that it might so move. It consulted and it has concluded its consultations. Therefore, why is it necessary that we do it and why now? I would like to reflect on that for a few moments if I can.

Firstly, the framework will enable Comcare to determine and collect exit contributions from former Commonwealth authorities and successors of former Commonwealth authorities. What does this ensure? That the employer does not leave the Comcare scheme without contributing an appropriate amount of money to cover any current or prospective liabilities that are not funded by premiums the employer has paid before exit. I go back to the comments made by senators Rice and Cameron, in which they were expressing, quite rightly, concern for the interests of employees. That brings me to the point that the framework will ensure that employees injured before an employer leaves the scheme continue to be supported by an
appropriate rehabilitation authority. That is the primary objective. It goes on to enable Comcare to determine and collect ongoing regulatory contributions from exited employers or the bodies that succeed them. These are entirely appropriate and reasonable factors. Why do we need to be dealing with it now? Because, indeed, the ACT government has flagged the likelihood that it may want to exit the scheme. What we will then do through this legislative amendment is to clarify that premiums for current Commonwealth authorities and entities, such as a government department, should be calculated having regard to the principle that current and prospective liabilities should be fully funded by Comcare retained funds and so much of the Consolidated Revenue Fund as is available under section 90C of the act. That is what the wider community and particularly those likely to be affected would be expecting us to do.

The framework will allow Comcare to agree to instalments of an exit contribution being paid over a period up to seven years from the day on which the determination is made to allow for run-off liability estimates. Furthermore, in terms of fairness, the framework will provide for Comcare to refund all or part of an exit contribution if the assessment reveals that the amount of the available scheme funds attributed to the exited employer exceed Comcare's liabilities. If indeed there has been an over-estimate, they get the money back. Determinations of a refund will only be made within that seven-year period after the employer exits the scheme. It also, on the other side, provides for Comcare to remit the whole or part of an unpaid instalment of an exit contribution if a later assessment reveals that the amount of the available scheme funds that is attributable to the exited employer exceeds what Comcare's liabilities are.

Why are these amendments so important now? Because we have the ACT government contemplating the likelihood of exiting. Indeed, we are fortunate to have the recent Chief Minister of the ACT now in the chamber, and I am sure she could further advise colleagues as to what the thinking of the ACT government was, certainly up until the time she ceased being Chief Minister. The amendments are important for two major reasons: firstly, to protect injured employees who remain in the Comcare scheme and, secondly, to make sure the future viability of the Comcare scheme is protected.

Since 2013-14, Comcare has been progressively restoring the funding position of the scheme. I know people would be very pleased to learn that. This bill will support existing measures now put into place by Comcare to restore funds to adequate levels to meet estimated liabilities. Surely there can be nobody in this chamber and nobody listening to this discussion who would have any argument with that sound philosophy. The bill will also ensure that Commonwealth authorities do not exit the Comcare scheme without paying an appropriate amount to cover any unfunded liabilities arising from claims that will continue to be managed by Comcare into the future. This protects premium payers who remain in the scheme, and this is what we want to see happen.

If I can recap, this bill amends the Safety, Rehabilitation and Compensation Act to provide for financial and other arrangements when a Commonwealth authority exits the Comcare scheme. The frameworks established by these amendments I have outlined. It is important to have such arrangements in place in the context of the ACT, because the ACT Labor government has indicated that it is looking at a potential departure from the Comcare scheme, citing it as being 'quite burdensome, not only for claimants but for their employers as well'. It
is essential that this amendment is passed so that any liabilities the ACT government may have in consideration of existing or prospective employees will indeed be adequately funded so that those people are protected. Employees injured before a Commonwealth authority leaves the Comcare scheme will continue—I repeat, will continue—to receive compensation and rehabilitation under the SRC Act. The bill will ensure stability for workers, employers and the Comcare scheme when a Commonwealth authority exits the scheme. I cannot be more clear than that. The bill goes on to amend the act to clarify that premiums for current premium payers should be calculated having regard to the principle that current and future liabilities should be fully funded by Comcare retained funds and so much of the Consolidated Revenue Fund as would be available under the relevant section of the act, section 90C. So I come back to that commentary again about protecting injured employees who remain in the scheme, as well as ensuring the future viability of the scheme itself.

Let me make the point strongly that the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015, the one we are debating at the moment, is not in any way related to other reforms that passed the House of Representatives on 26 November last year and are currently before the Senate. Let me make it clear, again, that the matter we are considering at this moment is not in any way related to these reforms. I am not going to go back and rehash the commentary of Senator Cameron in this particular space, except to emphasise again: they are unrelated. But it is unfortunate that the opposition, in opposing any meaningful reform in this space, is not encouraging, allowing or agreeing to reasonable dialogue and discussion in this area.

The Comcare scheme generally operates effectively. There are four areas that I want to focus on. Firstly, achieving high safety—and surely, that would be commendable. Secondly, return-to-work outcomes—and all of us, whether we are on the employer side or the employee side, know very well that speed of return to work is surely the highest priority, when it is safe to do so. The third area is the provision of income replacement through to retirement age, and the statement is made, 'it is almost the only scheme left in Australia which actually provides income replacement right through to retirement age'. The fourth area—and equally importantly for all people who are covered under these protections—is medical support for life.

It falls to people like ourselves, law-makers in this place, to make sure that each of those four high ideals remains permanent, remains current, and remains affordable. But there are signs that the scheme is coming under pressure. For example, while Comcare's return-to-work rates are better than average, they are falling. They are not where we want them to be. If this is to be the benchmark, we want the benchmark to be set higher. And the current experience is that return-to-work rates are falling; they are still better than average, but they are falling. Secondly, some medical treatments are not making people better in the long term. And thirdly, employers are facing rising premiums and other costs. So what do we need to do about this? The amendments that are proposed and are sitting here in the Senate are aimed, in fact, to address those issues. They are aimed to improve the return-to-work outcomes for injured employees and injured workers. They are aimed to put focus on early intervention and health outcomes for injured workers. And they are, thirdly, aimed at improving the operation of the system by excluding injuries sustained in non-work activities outside the workplace;
excluding, of course, secondary psychological injuries, and removing payment for non-traditional treatments.

Let me make the point very strongly: reference has been made of course to the fact that if somebody is outside their workplace, during their lunch hour or whatever, they cease to have any coverage; if they go across the road, or if they go into a cafe or whatever—but such of course is not the case. We in Australia know very well the circumstance in which, if somebody is injured, for example in a road-related accident, they are adequately insured under third-party provisions. Indeed, if somebody was in an eating establishment and injured themselves, we know the law requires that the operator of that facility must have adequate insurance to protect customers. So there is a circumstance in which there is still adequate cover under the provisions for which we seek.

The package of reforms which will be considered here in the Senate in due course is important in providing a strong and sustainable scheme into the future to ensure that Australia's only remaining long-tail workers compensation scheme exists, is adequately funded, and ensures that the employees of any organisation who leave Comcare in fact have still got adequate financial funding. I want to stress if I may the fact that this package of reforms has been supported by departmental secretaries and heads of agencies. It has been supported by licensees and has broad support in the community.

Concerns have been expressed in this place and elsewhere—and I am sure they will be raised again—about the question of the viability of state and territory work, health and safety workers compensation schemes in relation to the potential exodus of employers, particularly large employers, from the schemes. The information that is available suggests that this is, at most, a minor issue, if indeed it is an issue at all. The 2004 Productivity Commission inquiry suggested that the volatility in premium rates that might occur in the event of such exits are not supported by evidence. Actuarial assessments commissioned by the Productivity Commission and a 2008 review of self-insurance arrangements under Comcare both indicated that the impact of exits of corporations from state-based schemes on those schemes or on remaining employers would be minimal; and Taylor Fry, in their actuarial report to inform the 2008 Comcare review, concluded that the financial impacts of the exits to the Comcare scheme from other Australian jurisdictions had been insignificant.

To conclude: will the bill adversely affect any employee entitlements to compensation? The answer is no. An employee who is injured before an employer exits the scheme will continue to be compensated under the Safety, Rehabilitation and Compensation Act. The bill will ensure that employees injured before an employer's exit continue to be supported by appropriate rehabilitation authority, protecting the rehabilitation rights of employees. Let me finish, if I may, with these two brief observations. The bill will ensure that Commonwealth authorities exiting the Comcare scheme cover the costs of their liabilities. This will protect premium payers remaining in the scheme and ensure that injured workers continue to be supported. And I make this final observation. Anybody in this place voting against this bill is, indeed, voting against ensuring that injured workers have a safety net should their employer leave the scheme.

Senator LINES (Western Australia) (18:00): I rise to oppose the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015 that is before us, and I can assure Senator Back that I absolutely, 100 per cent support workers getting their full
entitlement to a workers compensation scheme. To suggest that if you vote against the bill somehow you are voting against the safety and the wellbeing of workers if they are injured is absolute rubbish.

This is one of three bills around workers compensation which will disadvantage workers. This is bill No. 2, and the Abbott government really does need to lay out its plan. There is bill No. 1, although it has not come into the Senate, there is bill No. 2, which is before us today, and, of course, there is a third bill, and to suggest that somehow these bills are unrelated is not true. There are relationships between all of them, and it is clearly about disadvantaging workers. If they are not related then why have they been brought in together and why are they all about Comcare? Of course they are related, and this bill is being put before the Senate because the government thinks that perhaps it will get support for this bill and it will start the softening up process to get the other two bills in place.

Indeed, we were able to have an inquiry for the first bill, and what stakeholders told us in that process was that, yes, they had had meetings with the department, but they were bound by rules of confidentiality. So they were not allowed to speak outside of the meetings about the content of those meetings and when they sought additional information about bills coming forward they were not told anything either. What sort of consultation process is it when we bind people and when we make them sign documents so that they will not utter a word about what happened in the meeting and when they sought information about future bills they were told that was not part of the discussion? That is not an open and transparent process, and of course those stakeholders had every right to be suspicious and to be very concerned about what was going to come next because of these confidentiality provisions. In the inquiry we had on that first bill we asked the department if we could have further information, but we were told, no, we could not either. I think we ended up getting the list of who attended those secret meetings, but we were not able to get much further than that.

Labor opposes this bill. Fundamentally, this bill will allow employers and insurers to scheme swap at will between state and national schemes. The arrangement laid out in this bill may potentially lead to the economic collapse of state schemes, and Labor believes it is likely to drive up premiums for small- to medium-sized employers. Again, with this bill, the Senate Education and Employment Legislation Committee was denied a public hearing by a majority of government senators on the committee, and it is absolutely shameful that this open and transparent process was denied to us. It is the second time that I have reported in this place that, on government controlled inquiries, senators have been denied an open and public transparent hearing into this bill. So it is left to Labor to defend and raise our concerns in this place because we were denied that opportunity through the Senate processes. More and more we are seeing that, when the government do not want to be held accountable, when they do not want to listen to independent evidence and experts, they simply use their numbers and deny the Labor senators that opportunity for an open and public hearing. It does lead me to say: what are they hiding? What is it about this bill, in particular, that they do not want transparency to be on the record?
Despite what we heard from government senators, there is no need to rush this bill. There is simply no need to rush this bill, because, despite the Australian Capital Territory signalling it wishes to exit the bill, it is a long way from doing that. The Australian Capital Territory government is in the process of consulting about the makeup of any new scheme. It does not yet have a designated scheme and it will not for some time. So why the rush? As we know, there is a bill that has not been voted on in this place that looks to cut workers' entitlements, and what I think the government are trying to do is to soften up the crossbench senators and get this bill through and then say to them: 'It's all a part of a tranche. There are three bills here. You voted for the first bill. The sky hasn't fallen down. Let's bring the other bills in.' I am sure that is their plan.

It is time that the Abbott government laid out their plan and stopped trying to pretend there is no link between any of these bills, because there is a link. The Australian Capital Territory government is out there running an open and transparent process—unlike the opportunities to have an open and transparent public hearing in this place, which we were denied by government senators. So why the rush? Rather than try and push a bill through the Senate, why aren't the Abbott government talking to the Australian Capital Territory government? Why aren't they talking to them? Maybe they are. But, again, we do not know, because we did not have that public hearing. But what we do know from the Abbott government's track record is that they do not like to consult. They do not like open consultations. They do not like independent advice. They do not really like anything contrary to their own positions. So the Abbott government thinks the only way forward is to rush this bill through.

Labor wants to be absolutely certain that no worker will be worse off as a result of this bill. I speak from experience. I worked for quite some time as the workers compensation officer at the WA branch of United Voice. In that role, one of the hardest roles I have ever done in my career, I met workers with debilitating injuries—low-paid workers, cleaners, orderlies, nurses, early childhood educators, and manufacturing workers, many with debilitating injuries. I met workers who desperately wanted to get back to work. They wanted to look after their families and do all the things they did before they suffered a workplace injury. I worked with good employers who respected workers and did everything in their power to get workers back to work and to start the rehabilitation process. Unfortunately, and in the majority of cases, I also met employers and insurers whose agenda was to reduce their costs and to take no responsibility for injured workers. Sadly, I saw too many workers caught up in a situation not of their making and completely outside of their control. I saw deliberate actions taken by insurers and employers to drag out claims, to deny benefits, to put workers in a situation where they had no money coming in, to blame workers for their workplace injury and to suggest it was because a worker smoked or was not fit enough or was old. They would use any excuse rather than take responsibility for the fact that their workplace had injured that worker.

I saw workers treated disgracefully at the hands of employers and insurers: workers who throughout their working life had given extra and who did not knock off right at the end of the shift; workers who always were willing to take on additional roles, who gave loyal service and who expected in their time of need their employer to act in the same way when they needed support. I have seen workers totally broken who started out with a physical injury and ended up with mental disabilities, not because of their injuries but because of the way they
were treated once they entered the workers compensation scheme. There were far too many who were broken individuals as a result of a workplace injury not of their own making. As a Labor senator in this place I stand for fairness and justice for these workers.

I want to touch on an other point raised by Senator Back that came out at the hearing we had on the first bill, and I must say that I could not believe what I was hearing. I did not want to believe the words on the page, where the first bill sought to take away the right to workers compensation during an unpaid work break, such as a lunch break. Let us just imagine the early childhood educator who started her shift at seven o'clock and works in the city and maybe travels an hour to get to work. She would have left home at six o'clock, so maybe she got up at five o'clock to start her day. At lunch time she will want to have a break. I do not know whether you have been into a child care centre but, unlike perhaps in a big manufacturing workplace, or in a hospital or in an aged care facility, the staff rooms are very small. They often serve as meeting rooms for other workers or as places where workers do programming. So they are not always a place to relax, to get away from the children and to have a desperately needed break. Working with children is rewarding work, but it is also hard work. From my experience as an organiser in the early childhood sector, I can tell you that many workers like to get out and have a break—they like to leave the centre at lunch time. If that worker leaves the centre and walks over to the shopping centre and then trips and hurts herself, under the bill before the Senate she will be out on her own.

I can also tell you that many of those workers work a day shift. As you would know, getting to the bank or the post office is often something workers do in their unpaid break, because it is the only time they can do those things. I heard Senator Back say, 'Oh, well they will be covered by public liability or they will be covered by motor vehicle insurance.' Can you imagine the scenario? There I am leaving the child care centre and I walk down the pavement and I trip. As a low-paid educator earning about $21 or $22 an hour, am I going to engage a lawyer to sue the council? How likely is that? It is incredibly unlikely, and it is impossible. I would not know where an early childhood educator would get the funds to stump up money for a lawyer to sue the council, and to win. We know those claims are arduous and are hard to prove. What if I am injured walking across the road. Do I then make a claim on motor vehicles? Or if I finally get into the shopping centre and I trip over will I then go after the shopping centre's public liability? What a ridiculous statement to make that somehow someone else is responsible for that worker.

The other thing I can inform the Senate is that the break in child care centres is an hour long, not because the worker needs it, but because the employers like to stretch the day out so that they do not have to bring additional staff in. They have that worker there from seven until four o'clock and they give them an hour off because they want to lengthen the shift to reduce their rosters so that they do not have to bring other workers in. Here we are saying that that worker who leaves the childcare service at lunchtime to have a break or to pay a bill or to get to the post office is somehow on her own. What a ridiculous statement to make! It shows how absolutely out-of-touch this Abbott government is that they do not know what workers do during their lunch hour.

During the Senate inquiry we heard—Senator Abetz and the Abbott government are very good at making things up—about the worker who goes surfing and incurs an injury. I do not know how many workers Senator Abetz has met, but over my lifetime as a union official I
have met thousands, and I have never yet met one who went surfing during their lunch break. I have met plenty who went shopping, who bought the dinner, who went to the post office, who paid the bills, who rang their kids to check on how they were doing and did all the things that all of us do as part of our daily life. But that is what you will hear from those opposite: 'What about the person who goes surfing?' What about the early childhood educator who simply goes to pay a bill and then gets denied workers compensation because she has had an accident outside of the workplace? That is ridiculous, and it is not something that Labor senators will support in this place.

I want to be absolutely sure—whether it is this bill, bill No. 1; or whether it is this bill before us, No. 2; or whether it is the incorrectly-titled bill No. 3, 'Improving the Comcare scheme'—that no worker will be worse off. But those assurances are not there—they are clearly not there with these bills. And nothing I have read and nothing I have heard and nothing in my own experience as a workers compensation officer and as an organiser gives me confidence that the bills deliver confidence and real surety and protection for workers. What I see in this bill continues the Abbott government's anti-worker and anti-union agenda. I counted the bills the other day because I got invited to speak at the national day of mourning for workers killed on the job in Perth, and the Abbott government has brought something like 15 anti-worker or anti-union bills before this place. Remember when we heard that WorkChoices was dead, buried and cremated? Well, it is not. The Abbott government is trying to attack workers and their unions by stealth through 15 bills—most of them rejected in this place. That is Work Choices—when you start to take away workers rights and when you start to reduce their access to unions. I have spoken before about the appalling death rate in the construction industry which goes completely unnoticed by the Abbott government. We should have a bill to immediately look at and stop workplace deaths, not these sorts of bills which rip entitlements away from workers. It is a disgrace that we do not respect those who toil, that we do not respect lives, that we think it is somehow okay for someone to lose their life when earning their livelihood. Labor senators do not stand for that, and that is why we oppose these bills. The Abbott government has not undertaken proper consultation with all of the relevant stakeholders about this. No doubt they will tell us: 'We had secret confidential meetings that no-one is allowed to tell you about.' But they denied us a proper hearing where we could get evidence out in the open on this particular bill.

It is really important that there is a thorough investigation of the legislation, because the Abbott government has already sought to make adverse changes to the Comcare scheme. These proposed changes will directly and indirectly risk the workplace health and safety of Australian workers. What we heard in the first hearing—and that is the only hearing I can refer to, because we have not had a hearing on this bill—was that somehow we needed to make these changes to the Comcare scheme because of red tape. I tell you what: if the choice for me and other Labor senators is between red tape and workers' lives, or between red tape and workers remaining fit and well in the workplace, then I will pick red tape any day. I know there is not a Labor senator here who would say: 'Let's reduce red tape and create a risk that injures or, in extreme examples, where a worker dies.' No. There is a view from the Abbott government that all red tape is somehow bad; but it is not, because workers in this country need red tape to protect them. They absolutely need that. We will not be supporting words
that say 'improving' and 'simplifying', because we know that that reduces workers entitlements and puts them at risk. We will not be supporting this bill.

Senator McGrath (Queensland) (18:20): It gives me great pleasure to rise this evening to speak on the Safety, Rehabilitation and Compensation Amendment (Exit Arrangements) Bill 2015. By way of background for those listening and for those reading this later, Commonwealth authorities—for example, the ACT government—and entities including an agency or a parliamentary department are premium payers under the Comcare scheme. Licensees and some Commonwealth authorities who hold a licence self-insure and, accordingly, do not pay premiums to Comcare. Comcare is responsible for paying liabilities associated with injuries sustained by employees of premium payers from Comcare retained funds under section 90C of the act. Comcare-retained funds should be adequate to meet current and prospective liabilities from year to year. The amendments made by the bill will clarify this intention as well as ensure mechanisms are in place to support Comcare to manage its liabilities in Comcare-retained funds.

On 26 February 2015 the ACT government announced that it is consulting its workforce on plans to leave the Comcare scheme. Consultations were completed on 8 May 2015, only a week ago. If a premium payer as large as the ACT exits the scheme without paying an amount to cover unfunded liabilities, this would further diminish the capacity of Comcare-retained funds to be sufficient to meet liabilities. The associated risk of underfunding would be borne by remaining premium payers or the Commonwealth. This bill proposes to amend the Safety, Rehabilitation and Compensation Act of 1988 to provide for financial and other arrangements for a Commonwealth authority to exit the Comcare scheme.

Firstly, the framework will enable Comcare to determine and collect exit contributions from former Commonwealth authorities and successors of former Commonwealth authorities. This will ensure that an employer does not leave the Comcare scheme without contributing an appropriate amount to cover any current or prospective liabilities that are not funded by premiums the employer has paid before exit.

Secondly, the framework will ensure that employees injured before an employer leaves the scheme continue to be supported by an appropriate rehabilitation authority.

Thirdly, the framework will enable Comcare to determine and collect ongoing regulatory contributions from exited employers or successor bodies.

Fourthly, the framework will clarify that premiums for current Commonwealth authorities and entities such as government departments should be calculated having regard to the principle that current and prospective liabilities should be fully funded by Comcare retained funds and so much of the consolidated revenue fund as is available under section 90C of the act.

Fifthly, the framework will allow Comcare to agree to instalments of an exit contribution being paid over a period of up to seven years after the day on which the determination is made, to allow for run-off of liability estimates.

Sixthly, the framework will provide for Comcare to refund all or part of an exit contribution if an assessment reveals that the amount of available scheme funds attributable to an exited employer exceeds Comcare's liabilities. Determinations of a refund may only be made within the seven-year period immediately after an employer exits the scheme.
Finally, the framework will provide for Comcare to remit the whole or part of an unpaid instalment of an exit contribution if a later assessment reveals that the amount of available scheme funds that is attributable to the exited employer exceeds Comcare's liabilities. The amendments will also make minor contingent amendments related to the Safety, Rehabilitation and Compensation Legislation Amendment Bill 2014—part 2 of schedule 1. Schedule 2 of the bill amends provisions in the act related to the Safety, Rehabilitation and Compensation Commission to streamline appointment processes and ensure appropriate membership of the commission.

That was a little bit of background. This is a straightforward and logical bill that simply takes account of what can and should happen should any premium payer or licensee decide to leave the Comcare scheme. It is important to have such arrangements in place, especially given that the ACT Labor government have indicated that they are looking at a potential departure from the scheme, citing it as burdensome for claimants and for their employers. They have said:

The Comcare system is quite burdensome, not only for claimants but for their employers .... Employees injured before a Commonwealth authority leaves the Comcare scheme will continue to receive compensation and rehabilitation under the act. The bill will ensure stability for workers, employers and the Comcare scheme when a Commonwealth authority exits the scheme. The bill also amends the act to clarify that premiums for current premium payers should be calculated having regard to the principle that current and future liabilities should be fully funded by Comcare-retained funds and so much of the consolidated revenue as would be available under the act.

The question is: why are these amendments important? The act is being amended to protect injured employees who remain in the Comcare scheme as well as to ensure the future financial viability of the Comcare scheme. Since 2013-14, Comcare has been progressively restoring the funding position of the scheme. The bill will support existing measures put in place by Comcare to restore funds to adequate levels to meet estimated liabilities. The bill will also ensure that Commonwealth authorities do not exit the Comcare scheme without paying an appropriate amount to cover any unfunded liabilities arising from claims that will continue to be managed by Comcare into the future. This will protect premium payers who remain in the scheme.

We should be aware—this has been touched upon by a couple of senators who have spoken prior to me—that there are two bills here at the moment. The Safety Rehabilitation and Compensation Legislation Amendment Bill 2014 passed the House of Representatives on 26 November 2014, and is currently before the Senate. That bill is focused on expanding the coverage of the Comcare scheme for national employers as self-insurers. The bill excludes coverage for recess breaks where a person is injured during an ordinary recess break away from their employer's premises, unless the injury arises from employment. The bill also excludes an injury arising from serious and wilful misconduct, where it results in death or serious and permanent impairment.

The Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015 is not, in any way, related to these reforms. That said, given the opposition's obsession with opposing any meaningful reform in this space I do want to briefly touch on the other bill that is currently being considered.
The Comcare scheme generally operates effectively. It achieves relatively high safety and return-to-work outcomes, and it is almost the only scheme in Australia to provide income replacement to retirement age and medical support for life. The legislation underpinning the scheme has not changed much since it was introduced 27 years ago. Workplaces and working conditions, health care and rehabilitation practices, technology, social behaviour and expectations have all changed in that time. Various court decisions have also affected the way the act is applied in practice. To keep pace with the modernisation of work and health practices the scheme needs to be updated. There are also signs that the scheme is coming under pressure. For example, while Comcare's return-to-work rates are better than average, they are actually falling. Some medical treatments are failing to make people better in the long term and employers face rising premiums and other costs.

The proposed amendments aim to do the following: improve return to work outcomes for injured workers; put the focus on early intervention and health outcomes of injured workers; and improve the operation of the system by excluding injuries sustained in non-work activities outside work, excluding secondary psychological injuries, and removing payment for non-traditional treatments. That package of reforms, which will be considered by this place in due course, is important in providing a strong and sustainable scheme into the future to ensure the continuation of Australia's only remaining long-tail workers compensation scheme. Further—and I want to stress this because it is important—in an unprecedented submission to the Senate committee, that package of reforms has been supported by departmental secretaries and agency heads. It has been supported by licensees, and it has broad support in the community.

Submissions from stakeholders, which were picked up by the opposition in its additional comments, related to a different bill. These are falsities, which have been repeated by the opposition, that this bill will impact on state and territory workers compensation schemes. This bill has no impact on states and territories as it only applies to Commonwealth authorities if they exit the Comcare scheme, and it has no impact on premium payers under the state schemes. Concerns have been raised, however, about the impact of another bill currently before the parliament—the Safety, Rehabilitation and Compensation Legislation Amendment Bill 2014—on the viability of state and territory work, health and safety and workers compensation schemes due to the potential exodus of employers, particularly large employers, from those schemes. The concern is that, if large employers with better safety records move to the Comcare scheme, premiums will increase for employers remaining in the state and territory schemes.

The 2004 Productivity Commission inquiry into national workers compensation and occupational health and safety frameworks specifically noted that concern about exiting premium payers from state schemes would lead to volatility in premium rates was not supported by the evidence. Actuarial assessments commissioned by the 2004 Productivity Commission inquiry, and for the 2008 review of self-insurance arrangements under the Comcare scheme, indicated that the impact on those schemes or on remaining employers of the exit of corporations from state based schemes would be minimal. Taylor Fry, in their actuarial report to inform the 2008 Comcare review, concluded that the financial impact of exits to the Comcare scheme from the other Australian jurisdictions had been insignificant.
Assessments commissioned by the Productivity Commission concluded that: the larger the employer, the closer the premium is to the 'true' cost of claims and expenses, such that the exit of large employers would be relatively neutral to the state and territory schemes; and the percentage of exiting employers from state schemes would represent less than 10 per cent to scheme revenues and probably less than five per cent of scheme revenues. In the government's assessment the circumstances have not changed since 2004 and the impact will remain minimal. But, again, I say to the opposition: stop the dishonesty and focus, please, your attention on the bill before the Senate as we speak and not on the other bill.

In conclusion, the bill will ensure that Commonwealth authorities exiting the Comcare scheme cover the costs of their liabilities. This will protect premium payers remaining in the scheme and ensure that injured workers are supported. Any senator voting against this bill is voting against ensuring that injured workers have a safety net should their employer leave their scheme.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (18:35): In rising to speak on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill, I reiterate Labor's concern that the government seems to be rushing this legislation unnecessarily. The Safety, Rehabilitation and Compensation Act established the Comcare scheme in 1988 to provide compensation and rehabilitation to Australian government and Australian Capital Territory government employees, as well as to employees of private corporations that hold a licence under the act.

The ACT government has indicated that it wishes to leave the scheme, citing cost concerns. This bill creates a framework for financial and other arrangements for a Commonwealth authority to exit the Comcare scheme. The framework established by these amendments will enable Comcare to determine and collect 'exit contributions' from former Commonwealth authorities and successors of former Commonwealth authorities. This will ensure that an exiting employer does not leave the Comcare scheme without contributing an appropriate amount to cover any current or prospective liabilities that are not funded by premiums the employer has paid before exit. It will ensure that employees injured before the employer's exit continue to be supported by an appropriate rehabilitation authority, and it will enable Comcare to determine and collect ongoing regulatory contributions from exited employers or successor bodies. The bill also amends the act to clarify that premiums for current Commonwealth authorities and entities should be calculated to ensure that current and prospective liabilities should be fully funded by Comcare-retained funds.

I mentioned at the outset that this bill is unnecessarily rushed, and I say so for two key reasons. Firstly, the government has introduced other legislation which may affect how this bill impacts on injured workers and, secondly, we have yet to see the design of the ACT government's replacement scheme. The ACT government scheduled a six-week consultation to listen to the views of stakeholders before designing a new rehabilitation and compensation scheme. That consultation period only ended last Friday, 8 May. The design of the new scheme is going to take a significant period of time, and the ACT government has made a commitment to work with stakeholders.

Labor's first priority is to ensure that no worker will be worse off under this bill. We must also be certain that this bill will not provide an incentive for others to leave workers worse off. This is why Labor took the responsible course of action to refer the bill to the Senate
Employment and Education Committee for a thorough investigation. However, since the bill was referred to an inquiry the government introduced another bill relating to the Comcare scheme. This bill—the Safety, Rehabilitation and Compensation Amendment (Improving the Comcare Scheme) Bill—is the third substantive bill relating to the Comcare scheme currently before the parliament. Although the committee has concluded its inquiry into the exit arrangements bill, the introduction of the other bill, the third bill, means the committee has not had a proper opportunity to investigate the relationship of this bill with other bills concerning the Comcare scheme.

I mentioned there were three substantive bills relating to the Comcare scheme. In March this year the government also introduced the Safety, Rehabilitation and Compensation Legislation Amendment Bill. Labor strongly opposes this bill. The proposed changes in this bill will directly and indirectly risk the health and safety of Australian workers and will remove their rights to fair and reasonable cover when they suffer the misfortune of a work-related illness or injury.

The most recent bill—the Safety Rehabilitation and Compensation Amendment (Improving the Comcare Scheme) Bill 2015—is over 200 pages long. It is also highly disadvantageous to workers. This bill makes cuts to the lump sum compensation payable for permanent impairment for the vast majority of injured workers and removes the already modest pain and suffering payment. I have concerns that this bill will leave workers worse off, particularly in relation to how the bill widens the way in which claims can be disqualified from compensation. Changes to eligibility requirements will mean injured workers are locked out of the scheme altogether. I have some examples of how this new scheme will impact workers.

Firstly, compensation entitlements would be suspended where an injured worker is absent from Australia for more than six weeks, for example even if they had a dying relative they needed to care for overseas. Under the current scheme, while a worker needs to seek approval prior to departure, there are no cuts to entitlements if a worker travels overseas. In circumstances where a worker is totally unfit for work as a result of a compensable work-related injury, it does not matter whether the worker lives in Australia or elsewhere.

Secondly, the current exclusionary provision for injuries caused by 'reasonable administrative action' will be broadened by the term 'reasonable management action'. This will exclude any physical or psychiatric injury or illness resulting from a directive of management unless an injured worker can prove unreasonableness. How would this affect an Australian Federal Police officer who is injured in the undertaking of his or her duties? For example, if an AFP officer is instructed by his supervising officer to investigate a suspected drug lab and is stabbed during that investigation, would the injured officer be excluded under the new law on the grounds that the injury was partially caused by the reasonable direction given by the superior officer to investigate?

Thirdly, there are new tests for vulnerability to injury which would require consideration of whether the worker would have hypothetically suffered a similar 'designated injury' at the 'same time in the worker's life' or at the 'same stage'. It has been a long-standing principle of injury and compensation law that the injured victim is taken as found, including their age, vulnerabilities and susceptibilities. Since any musculoskeletal condition may be regarded as an ailment or any spinal condition as a 'designated injury', the effect of such a provision has the potential to strike out any such musculoskeletal injury. In a society where the working age
now extends beyond 65 years and the Abbott government has declared it expects workers to work longer, our workforce is ageing and therefore becoming more susceptible to workplace injury. This provision effectively serves to discriminate against workers on the basis of their age.

These are just a few examples of how workers will not receive any compensation for work-related injuries under the so-called improving the Comcare scheme bill because of the related unfair and draconian eligibility rules. This bill also reduces incapacity payments and expands sanctions against workers including removal of medical support if a worker fails to attend a medical appointment. All of this is totally opposed by Labor. It is typical of this government when they are under pressure to attack the workplace conditions of working Australians. I know there are issues with the resourcing of the Comcare scheme and the workloads of workplace inspectors and Comcare staff, but undermining the rights of workers to fair compensation is not the answer. With these bills currently before the Senate and with the ACT government still designing their new scheme, it is unclear whether ACT employees would be better off under the Comcare scheme or its replacement scheme. This point was made by the Australian Council of Trade Unions in its submission to the inquiry. The ACTU also noted in its submission that it is unclear how the government proposes to manage the rehabilitation and compensation claims of those workers who are currently covered by the Comcare scheme or whose claims are still being processed.

Another concern raised through the inquiry by both the Victorian government and the Electrical Trades Union was that the bill may result in a reduced premium pool in state workers compensation schemes. Labor senators noted in their additional comments in the inquiry report that they were unconvinced by the Department of Employment's submission that the reduction in the premium pool would not result from the passage of the bill.

The principle of giving workers fair compensation and the best opportunity for rehabilitation is of particular importance to me. I have spoken before in this place about the difficulties experienced by workers under the current scheme. For more than five years I have been working hard to represent a constituent who has been fighting to get decent rehabilitation services and fair compensation from an injury suffered as a Commonwealth employee 27 years ago. I know from an independent report given to Comcare that there are another 13 injured workers who have experienced expressed longstanding problems with aspects of their claims and Comcare's services.

While it is vital that we do everything we can to avoid injuries at work, we know that unfortunately injuries will inevitably occur. When they do occur, workers need to have the assurance that they will receive not only fair compensation but the best rehabilitation support they can to restore them to their fullest possible health, both physically and psychologically. Given the difficulties that workers are experiencing with the Comcare scheme as it currently operates, it is absolutely vital that any changes to the scheme do not disadvantage workers and are carefully and thoroughly considered as a whole.

The most unfortunate thing about the government's hasty and piecemeal approach to these legislative changes is that Labor may be able to support the exit arrangements bill—the bill we are currently debating—but we cannot under the current circumstances. There is no need to try and rush this bill through with such haste when the ACT government does not even yet have a scheme designed to replace the Comcare scheme and will not have one for some time.
There is no need to rush this bill through when we have a number of other substantial changes to the Comcare scheme also before the parliament. The opposition has not received any information from the ACT government about the consequences for workers of their exit from the Comcare scheme. Labor needs to have assurances that ACT workers will not be left worse off under this bill. We need to be sure there is nothing questionable about this bill before parliament today, and the only way to do this is to take the necessary time for further consultation with all stakeholders.

It is not all right for workers to be not properly compensated if injured while working, and it is not all right to cut standards that protect workers. Labor strongly believe no worker should be worse off under this bill, and that is what we will continue to push for. Workers must be afforded fair and reasonable compensation should they suffer the misfortune of a work related injury or illness—because that is only fair.

Senator SESELJA (Australian Capital Territory) (18:46): I am pleased to speak to the Safety, Rehabilitation and Compensation Amendment (Exit Arrangements) Bill 2015. This bill is a technical one dealing with how Comcare is funded when premium payers under the scheme exit. The ACT government announced in February this year that it is consulting its workforce on plans to leave the Comcare scheme. The ACT government has been a premium payer and the exit of a body of this size would have a detrimental impact on Comcare's capacity to continue providing cover for workers under the scheme. It is vital we continue to ensure Comcare has the resources to deal with the claims of employees under the scheme and is not held hostage by the whims of various premium-paying bodies.

The bill proposes to make amendments to the Safety, Rehabilitation and Compensation Act 1988 to provide for financial and other arrangements for a Commonwealth authority to exit the Comcare scheme. The framework will enable Comcare to determine and collect 'exit contributions' from former Commonwealth authorities and successors of former Commonwealth authorities. This will ensure that an employer does not leave the Comcare scheme without contributing an appropriate amount to cover any current or prospective liabilities that are not funded by premiums the employer has paid before exit. It will also ensure that employees injured before an employer leaves the scheme continue to be supported by an appropriate rehabilitation authority, which is very important. It will enable Comcare to determine and collect ongoing regulatory contributions from exited employers or successor bodies. It will clarify that premiums for current Commonwealth authorities and entities, such as a government department, should be calculated having regard to the principle that current and prospective liabilities should be fully funded by Comcare retained funds and so much of the Consolidated Revenue Fund as is available under section 90C of the act. It will allow Comcare to agree to instalments of an exit contribution being paid over a period of up to seven years after the day on which the determination is made to allow for run-off liability estimates. It will provide for Comcare to refund all or part of an exit contribution if an assessment reveals that the amount of available scheme funds attributable to an exited employer exceeds Comcare's liabilities; determinations of a refund may only be made within the seven-year period immediately after an employer exits the scheme. It will provide for Comcare to remit the whole or part of an unpaid instalment of an exit contribution if a later assessment reveals that the amount of available scheme funds that is attributable to the exited employer exceeds Comcare's liabilities.
This is a very straightforward bill that simply ensures the ongoing viability of Comcare whenever any large premium payer or licensee decides to leave the Comcare scheme. It is important to have such arrangements in place, especially given that the ACT Labor government have indicated that they are looking at a potential departure from the scheme, claiming it is burdensome for claimants and for their employers. Employees injured before a Commonwealth authority leaves the Comcare scheme will continue to receive compensation and rehabilitation under the SRC Act. The bill will ensure stability for workers, employers and the Comcare scheme when a Commonwealth authority exits the scheme.

The bill also amends the act to clarify that premiums for current premium payers should be calculated having regard to the principle that current and future liabilities should be fully funded by Comcare retained funds and so much of the Consolidated Revenue Fund as would be available under section 90C of the act. These amendments protect injured employees who remain in the Comcare scheme and ensure the future financial viability of Comcare.

Since 2013-14, Comcare has been progressively restoring the funding position of the scheme. The bill will support existing measures put in place by Comcare to restore funds to adequate levels to meet estimated liabilities. The bill will also ensure that Commonwealth authorities do not exit the Comcare scheme without paying an appropriate amount to cover any unfunded liabilities arising from claims that will continue to be managed by Comcare into the future. This will protect premium payers who remain in the scheme from having to cover these liabilities with larger premiums.

The Safety Rehabilitation and Compensation Legislation Amendment Bill 2014 passed the House of Representatives on 26 November 2014 and is currently before the Senate. That bill is focused on expanding the coverage of the Comcare scheme for national employers as self-insurers. The bill excludes coverage for recess breaks where a person is injured during an ordinary recess break away from their employer's premises unless the injury arises from employment. The bill also excludes an injury arising from serious and wilful misconduct where it results in death or serious and permanent impairment.

The Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015 is not in any way related to these reforms. That said, given Labor's inability to do any of the hard work of meaningful reform in this space, I do want to briefly touch on the other bills that are currently being considered. The Comcare scheme generally operates effectively. It achieves relatively high safety and return-to-work outcomes, and it is almost the only scheme in Australia to provide income replacement to retirement age and medical support for life. The legislation underpinning the scheme has not changed much since it was introduced 27 years ago.

Workplaces and working conditions, healthcare and rehabilitation practices, technology and social behaviour and expectations have all changed in that time. Various court decisions have also affected the way the act is applied in practice. To keep pace with the modernisation of work and health practices, the scheme needs to be updated. There are also signs that the scheme is coming under pressure. For example, whilst Comcare's return-to-work rates are better than average, they are falling; some medical treatments are failing to make people better, in the long term; and employers face rising premiums and other costs.

The proposed amendments aim to do the following things: improve return-to-work outcomes for injured workers; put the focus on early intervention and health outcomes of
injured workers and improve the operation of the system by excluding injuries sustained in non-work activities outside work; exclude secondary psychological injuries; and remove payment for non-traditional treatments. That package of reform, which will be considered by this place in due course, is important in providing a strong and sustainable scheme into the future to ensure that Australia's only remaining long-tail workers' compensation scheme is able to continue. Further, in an unprecedented submission to the Senate committee, that package of reform has been supported by departmental secretaries and agency heads, it has been supported by licensees and it has broad support in the community.

The Education and Employment Legislation Committee examined this and the associated Comcare legislation in the first months of 2015. Submissions from stakeholders, which were picked up by the opposition in its additional comments, also related to a different bill—falsities that have been repeated by the opposition that this bill will impact on state and territory workers' compensation schemes. This bill has no impact on states and territories as it only applies to Commonwealth authorities if they exit the Comcare scheme, and it has no impact on premium payers under the state schemes.

Concerns have been raised, however, about the impact of another bill currently before the parliament—the Safety, Rehabilitation and Compensation Legislation Amendment Bill 2014—on the viability of state and territory work health and safety and workers' compensation schemes due to the potential exodus of employers, particularly large employers, from those schemes. The concern is that if large employers with better safety records move to the Comcare scheme, premium rates will increase for employers remaining in the state and territory schemes.

The 2004 Productivity Commission Inquiry into National Workers' Compensation and Occupational Health and Safety Frameworks specifically noted that the concern that exiting premium payers from state schemes would lead to volatility in premium rates was not supported by the evidence. Actuarial assessments commissioned by the 2004 Productivity Commission inquiry and for the 2008 review of self-insurance arrangements under the Comcare scheme—the Comcare review—indicated that the impact of the exit of corporations from state based schemes on those schemes or remaining employers would be minimal.

Taylor Fry—in their actuarial report to inform the 2008 Comcare review—concluded that the financial impacts of exits to the Comcare scheme from the other Australian jurisdictions had been insignificant. Actuarial assessments commissioned by the Productivity Commission concluded: 'The larger the employer, the closer the premium is to the true cost of claims and expenses, such that the exit of such large employers would be relatively neutral to the state and territory schemes.' The percentage of exiting employers from state schemes would represent less than 10 per cent of scheme revenues and probably less than five per cent of scheme revenues.

In the government's assessment, the circumstances have not changed since 2004 and the impact will remain minimal. I call on those opposite to focus on the bill at hand and do the right thing and provide certainty for workers under the Comcare scheme. The bill will ensure that Commonwealth authorities exiting the Comcare scheme cover the costs of their liabilities. This will protect premium payers remaining in the scheme and ensure that injured workers are supported.
Any senator voting against this bill is voting against ensuring that injured workers have a safety net should their employer leave the scheme. I therefore commend this bill to the Senate.

Senator O'NEILL (New South Wales) (18:57): I rise to speak on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015. At this time of the day—after the big, long night of the budget—I suppose people are starting to feel a little weary, and it is hard to keep your attention on these things. It is really important to pay attention, because something really important could happen if this legislation were allowed to go through in the way this government is proposing.

The purpose of this bill has been discussed in very different ways in the contributions from both sides of the chamber this evening. The explanatory memorandum of this bill states:

The Safety, Rehabilitation and Compensation Act 1988 (the Act) establishes a scheme (the Comcare scheme) to provide compensation and rehabilitation support to injured Australian Government and Australian Capital Territory employees, as well as employees of private corporations that hold a licence under the Act.

It sounds like a mouthful, and by the time you get to the end of a few sentences like that it is very easy to have your eyes start to glaze over. But we have to remember that at the heart of this piece of legislation is either a positive or a negative outcome for people who find themselves injured while at work. That could be any one of us or any of the people we love or care for or any of the people we work with. This is not an abstract concept, this is not an abstract set of words and it is not a meaningless set of words, even though it does sound like that in the way that it is written for the purposes of legislation. This is about people and real outcomes for people.

In fact, this piece of legislation is more complicated in the way that it has come before this parliament than many others, because this is part of a suite of three bills that are dealing with Comcare. That is why we need to be really careful about what we are doing with it. Senator Lines, Senator Cameron and Senator Bilyk have made very strong claims, articulating our concerns about the haste with which this is being attempted to be pushed through the parliament by the government, and I think with good cause. One of the things that my kids say these days, using a very descriptive word, is that things may be 'dodgy'. I have every feeling that there is something dodgy going on here—the sense of speeding to get this piece of legislation through.

The fact is that, only as recently as 25 February this year, the ACT government announced that it was going to leave Comcare. When that announcement happened, pretty much at the same time the Territory government also announced that it was going to conduct a six-week consultation period before deciding on the design of the new scheme—whatever it might look like. That consultation period has been open to some discussion. There are concerns about how private those conversations have been and there are concerns about why such an important discussion about a scheme that could affect so many people here in the ACT has not been held in a much more public way. Given that the consultation period ended on 8 May, just last Friday, it is really quite remarkable that we are in the week of the budget and this piece of legislation has been rushed into this place.

Pardon me: I do not usually like cynics or cynicism, but I have to say that the alarm bells are ringing at this point in time. What on earth is going on here? A secret, quiet process over
six weeks, an attempt to push this through and no chance for us to have the great scrutiny of this bill that the Senate committees can undertake. Labor's first priority with regard to this bill is to ensure that we get the bill right. To do that we need to make sure that any design of any new scheme is going to provide at least the same protection. In my view, if you have an opportunity to review, you should look to ways that would enhance the protection. We can enhance the financial outcome too—they are not necessarily mutually exclusive goals—but we should be determining that this scheme will advance the cause of the people who are going to be sadly caught up in it.

The ACT government, from what I can gather, have made a commitment to work with the stakeholders. There should be sufficient time allowed to unearth any outstanding matters and have public scrutiny of the process, public consideration of what is proposed, and certainly those who have been affected may have some particularly valuable insights that they could bring to the process. In a way, one of the reasons why I am so concerned about this process is that I watched the failure of the government to consult in a public way prior to the last budget—the very first budget that they delivered—particularly with regard to the area of health. Compensation for injured workers is not exactly a health matter, but it is certainly intimately connected with the health sector. We had a government that decided it was a good idea, without consultation, without talking to the RACGP, without talking to the AMA and without talking to any of the state departments of health—they just arbitrarily decided, this week last year—that they were going to bring in a $7 GP co-payment, a GP tax.

Failure of consultation leads to really stupid policies like that, and the government have had to remove themselves from that position to a point. They still have lots and lots of issues with their health policy. They have had to change their minister and they have got to a point now where the minister says she is consulting, but all that is happening in private and it has taken a committee of the Senate to watch what is going on in the health sector publicly and put it on the record. Acting Deputy President Peris, you are well aware of the work of the committee that is doing that and why it is important to have public scrutiny and use the resources of this parliament to put on the record the evidence that experts have to offer, not just people who can get inside a little private room and make some decisions that ultimately might advantage them over others who have less power and less opportunity to have their voice heard.

It is in that context that I really want to emphasise that Labor's first priority is to ensure, with this bill in particular, that there will be no worker worse off. We also want to make sure that there is no structuring of this to provide an incentive to make workers worse off. We wanted it to go to a Senate committee for thorough investigation, but with unseemly haste the government has rushed it here into the chamber. There is something wrong with that attitude. Our story is the Australian Labor story. It is about protecting and promoting the interests of working men and women. The future of Australia, from the values that we hold, is about getting a great job—giving people the opportunity and the support they need to get a job that they can be fulfilled in, where they can go to work each day and come home safely and well. We know that it does not always turn out that way and that people will need, from time to time, assistance if they find themselves injured or so unwell that they require rehabilitation.

The Safety, Rehabilitation and Compensation Legislation Amendment Bill is one of the suite of bills that I referred to in my opening remarks. It is another reason that explains why I
am concerned about what is happening here tonight. That bill was introduced into the parliament in March last year. What we saw in that bill was absolutely outrageous—directly and indirectly risking the workplace health and safety of Australian workers. One of the things that was threatened in that was the right of Australian workers to have reasonable cover when they suffered the misfortune of a work related illness or injury. Labor completely opposed that bill. We continue to oppose that bill. There is great concern on this side of the chamber that, in that bill, the government has included provisions to hollow out state workers compensation schemes. Part of the process that the community should be aware of is that one of the plans, revealed in the process of looking at that legislation, intended to open up the Comcare scheme to private sector companies.

I am trying, with this abstract piece of legislation, to continue to remember, and to speak about, the people who will be affected if this legislation is wrong and if this legislation is hastily pushed through. We need to keep remembering that people are at the heart of what we do here in this place, and that the impact of this legislation on people is real. I am trying to use language that reminds us of that because we have heard from the other side technical language distancing people from the conversations of this place. Legislation has to be rich and in a particular form of words. But when those on the other side stand up and their language choices do not mention people, do not mention health consequences and do not mention safety in the workplace, and when they do not look like they are there to protect workers but to exploit them, and when their language choices are filled with words like contributions, funds, instalments, liabilities, assessments and remittances, when they are punctuated and littered with those sorts of words and there is no consideration of what those words might collectively mean in terms of impacting somebody's life, then there are more alarm bells ringing in my head. We are concerned that there are going to be large companies that will flee state schemes and that would compromise the capacity of those schemes to properly look after workers. We do not believe it would be in the interests of workers to have that happen. We do not think this legislation should proceed with such haste.

In addition to the bill that is before the house tonight, and the one that I have just mentioned, there is yet another Comcare bill—the third one in the sequence—that has just recently been introduced by the government. This is also one that should have us raising our concern and casting a close eye over what is being proposed by the government. That third bill makes cuts to lump sum compensation payable for permanent impairment for the vast majority of injured workers. Let me just say that again: it cuts lump sum compensation payments to permanently impaired people. It also attempts to remove the already modest pain and suffering payment that people so far can access. In her commentary in this place this evening, Senator Lines spoke eloquently about the reality of a period of work in which she was interacting with people who had found themselves on the wrong side of a workplace incident. These people suffered in the first instance a physical impairment that disconnected them from the experience of work, marginalised them from their community of work and impacted their health and wellbeing and family lives, and then the stress of dealing with the system that was so discriminatory towards them and so aggressive towards them meant that there was an amplification of their injury from a physical one into a mental health injury. We need to be careful about not allowing the construction of a system that will create that reality for people.
This third piece of Comcare legislation that the government is advancing does other things. It changes the eligibility requirements. That means that injured workers are locked out of the scheme altogether. It also attempts to reduce incapacity payments. It expands sanctions against workers, including the removal of medical support if a worker fails to attend a medical appointment. Where have I heard that before? These are some of the most excessive and punitive measures that we have seen this government try to implement since they came into the parliament with regard to people who find themselves unemployed.

We have seen this government almost selectively targeting those who are the most vulnerable, seeking them out, almost, when they are at their lowest point and then really kicking them while they are down. That is why this legislation is so important and deserves the proper scrutiny of a committee. There should be time given to this second part in the bill under the chamber's consideration this evening. We oppose all of the elements of that Comcare bill. We are very concerned about this Comcare bill. We oppose the elements of the first Comcare bill. There is a theme here. These guys are up to something no good. We are onto it. As the Labor Party, we will stand here and make sure that the proper scrutiny is applied, no matter how uncomfortable it is for those opposite.

What we have here is the Abbott government asking the parliament to make a determination on a matter which it has very recently introduced. It is a very substantial bill. It does, potentially, contain crucial information about future changes. Given the introduction of a third substantive Comcare bill, Labor really cannot believe that there was proper opportunity to fully investigate the current bill. These bills do not sit as separate entities. Once one gets through, there will be interactions with the other. Those interactions, those sophisticated and complex interactions, need to be given consideration as well.

I said earlier that the ACT government has not made a determination on the make-up of any new scheme. They only announced it in February. They have only just finished their consultation process. So, supporting the legislation that is before us is a foolish thing to do. It is foolish and it is dangerous, because the whole detailed process that should be part of any change is simply being overlooked. Obviously it is not reasonable or fair to suggest that people exit a particular type of arrangement that covers workers if they are injured at work and without being able with any certainty to outline what entitlements they may have in any subsequent scheme. It is simply not reasonable to ask us to support such a proposition. So inevitably we have considerable reservations about this bill.

That is not to say that we seek to usurp the rights of the ACT to make determinations about this. The ACT clearly should be making decisions for its own workforce in relation to workers compensation, including rehabilitation. But it is only reasonable that they make clear their intentions, in a detailed way, before this bill passes. And certainly a Senate inquiry would provide a space in which such reportage could happen and due consideration could be given.

I am advised that there has been considerable conversation with the ACT government. I am led to believe that the concerns that I am raising here in the chamber and that have been raised by my other colleagues who have participated in this debate have been raised with the ACT. We need them to outline their intentions. We need to explain any material changes that might be made to entitlements of those workers if they are injured. We need, in fact, a simple degree of fair scrutiny to be provided. I do not believe we have had sufficient time for that to happen.
at this stage, and it is certainly unduly hasty to be pushing for a resolution of this matter so promptly. The ACT government really does need to provide that information to this government and to the opposition as well so that we can ensure that there actually are no adverse consequences of this bill before the government exits the scheme.

One of the things I thought it would be worth putting on the record for people who may be listening and are interested in the process of scrutiny of these bills is that one of the very impressive things I found when I was a new senator was the introduction of a consideration of the human rights implications. Each bill has to be considered in terms of that human rights lens. Articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights and articles 26 and 27 of the Convention on the Rights of Persons with Disabilities are mentioned in the explanatory memorandum. It reminds us, as I said at the beginning of my remarks this evening, that this is a complex piece of legislation. At its heart are outcomes for real people, and I urge a due degree— (Time expired)

Senator McKENZIE (Victoria) (19:17): It gives me great pleasure to rise tonight to speak on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015. Unfortunately, I do not think I will get to complete my contribution, but I am really looking forward to the full—full bottle—on this particular piece of legislation when we next have it before us. I am chair of the committee that Senator Lines is deputy chair of. I sat in my office and listened to the tirade from Senator Lines, and I am looking forward to correcting so many of the false assumptions that she put on the Hansard, as if they were somehow fact—as if somehow because she says them they must be true. She complains that the committee did not undergo a full and transparent assessment of the submissions. The inquiry was conducted under the usual practice of the Senate. Public submissions were sought, and we got not hundreds, not thousands but four submissions—from, as we like to say in the game, 'usual suspects'. We had the ACTU, the ETU, my own state government of Victoria, and the Department of Education—so, four submissions. With the workload that the current Senate committee is under—and it is not just my own committee; this is the case right across the Senate at the moment, thanks to the Greens’ inquiries and thanks to the numerous reference committee inquiries from those opposite and indeed from the scrutiny of bills process, which is referring so much of the government's legislative agenda, which it has a mandate to deliver, off to committee in a tactic to delay us delivering on election promise after election promise for the Australian people—in that deliberate tactic by those opposite to use those Senate committees, there is an enormous burden. If those opposite want to consider the workers of Australia, then they need to actually consider the committee secretariats and the workload that they are currently under. So, when we get four submissions saying what we all knew they would say—

Debate interrupted.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Peris) (19:20): I propose the question:
That the Senate do now adjourn.

Banana Industry

Senator McGrath (Queensland) (19:20): Earlier today during senators' statements I talked about my trip a few weeks ago up into Western and Northern Queensland, and I
foreshadowed that I would be talking about bananas later today. I now wish to address the very important issue of the banana industry in Queensland. Bananas are Australia’s No. 1-selling supermarket product, with annual farm gate production of over $600 million. About 95 per cent of the bananas produced in Australia come from the coastal strip between Babinda and Cardwell and across the Atherton Tablelands, in particular around Tully and Innisfail. Many businesses and communities in this district rely on the banana industry directly and indirectly for income and for their jobs. That is why Panama tropical race 4 represents a very serious threat to the livelihoods of hundreds of banana growers across North Queensland and also a threat to the communities of North and Far North Queensland.

To give some background, Panama tropical race 4 is caused by the soil-borne fungus *Fusarium oxysporum*. It is spread only by the movement of infected planting material, soil and water, not through the air. Panama tropical race 4 is a very destructive disease of banana plants, but it is important to note that it poses no threat to human health whatsoever. It was originally identified in the Northern Territory during 1997, resulting in the widespread destruction of the banana industry in the Territory. The disease, sadly, was first detected on a Queensland plantation in Tully in March of this year. A second positive test came from a commercial banana farm near Mareeba in early April—and both farms are now under quarantine.

The banana peak industry body, the Australian Banana Growers’ Council, has been working closely with growers, biosecurity officials and governments to formulate measures to support growers and to protect the banana industry in North Queensland from further disease. The Australian Banana Growers’ Council has formulated a package of measures to deal with Panama tropical race 4, calling for measures including: a Biosecurity Queensland-approved protocol that sets out minimum biosecurity standards that infected farms need to meet in order to restart operations, government assistance for infected farms, including for the costs of destroying infected plants and fencing infected farms; a joint government-grower funded program for other farm biosecurity measures; a Biosecurity Queensland program for ensuring the provision of clean banana planting material; and, finally, a special research and development fund to assist with disease research. The local state member for much of the area, the Liberal-National Party member for Hinchinbrook, Andrew Cripps, has two-thirds of Australia’s bananas growing in his electorate. Mr Cripps has thrown his full support behind the Australian Banana Growers’ Council’s plan and has requested that, in addition to the 5-point plan released by the Australian Banana Growers’ Council, the Commonwealth and Queensland governments formalise a bilateral agreement to fund a testing and control program that would continue to battle the spread of Panama tropical race 4. I support Mr Cripps in these efforts.

The potential to find vaccines, better treatment products and fungus-resistant banana varieties is something that certainly needs to be explored. Sadly, the response from the Queensland Labor government and Biosecurity Queensland has, at times, been ponderous and slow, leaving growers tangled in bureaucracy and dealing with uncertainty for too long. I call on the Queensland government to work with the Commonwealth and the Australian Banana Growers’ Council, and especially the impacted banana growers and their communities and other stakeholders, to implement these proposed measures to prevent the spread of this disease and the ensuing devastation that it could cause across North Queensland. If the North
Queensland banana industry is wiped out, it would be similar to a cyclone wiping out North Queensland—a permanent cyclone hanging over the banana plantations.

Senator Sterle: It would be worse! Worse!

Senator McGrath: Thank you, Senator Sterle, for acknowledging the threat that this Panama tropical race 4 poses to the Queensland banana industry. I was fortunate in my two trips to North Queensland over the past six weeks to meet with some local banana growers, in particular the families of one of the impacted banana plantations, along with Steve Lizzio in Innisfail. I really appreciate that they have taken the time to speak with me. I commend the Australian Banana Growers' Council Chairman, Doug Phillips, and the CEO, Jim Pekin, for their work towards finding a solution to this menace and for their advocacy of growers' interests. I say to them: 'We are all in this together, and we are all behind you.'

Western Front Anzac Remembrance Tour

Senator Sterle (Western Australia) (19:25): It gives me great joy to stand up here tonight and make a short contribution on what I got up to in the last few weeks. Every year, as the patron for Darling Range Sports College in Western Australia, formerly the Forrestfield high school, I take a delegation of 16-year-olds and 17-year-olds on the Western Front Anzac Remembrance Tour—the 'Senator Sterle tour'. This year I had the pleasure of escorting 22 young Australians—a fantastic group. In total there have been 59 year 11s and year 12s who have gone on this tour. The Principal, Mr Peter Noack, goes on the trip every year—I know it is hard work, Pete, but thanks, mate, for coming along with us—and, of course, Ms Amanda Fleming was lucky teacher this year who drew the longest straw and got to join us on the trip.

What we normally do is treat the students to a bit of an experience in Europe. This year we turned it around and tweaked it a little bit, and we gave them three days in London. For all of these students it was their first experience overseas. They had three days in London and thought they were on a wonderful European holiday, but they knew it was work. They knew that the exciting bits were achievable because of the brave acts of our young men 100 years ago in the Middle East. Next year we will be commemorating 100 years on the Western Front from France and Belgium. We also give the students the opportunity to experience Paris for three days—and then we start our bus tour, and we head to the Australian memorials in northern France. The one we always visit is the National Australian Memorial at Villers Bretonneux. For the last two years we commemorated the Anzac Day dawn service at Villers Bretonneux, but this year we twisted it around and, after consultation, Mr Peter Noack and I decided we wanted to spend and commemorate Anzac Day in Belgium.

We visited Villers Bretonneux. That was the first taste of the Commonwealth war graves for the Australian students. A couple of regular sites we always visit are the VC Corner and the cobbers memorial. We take the students into Thiepval, which is a British one. It is a wonderful memorial, but it also has a very interactive centre. Of course, we can never do the Western Front without visiting Pheasant Wood in Fromelles. I make sure that there is one grave and headstone that the students see every year. It is the grave of an Australian soldier from South Australia who was too young to serve and so he fibbed about who he was, and, at the age of 16, he ventured off to the Western Front. He arrived in June—I cannot remember the day exactly—around the 5th, and he was killed on the 6th. This brave young man was the same age as the students that I take.
We also had a real highlight this year, because the great-great-uncle of one of our students, Trent Young, is buried in Peronne. We went to the communal extension cemetery—there are a number of Commonwealth soldiers buried there—and we found the grave of young Trent's great-great-uncle Lieutenant Arthur Lindsay Cope. He served in the 21st battalion and he was killed by machine gun fire in Mont Saint-Quentin in September 1918 while leading a bomb-clearing expedition. He was originally buried in Mont Saint-Quentin but was eventually moved to the place where he rests today. It was a fantastic experience for young Trent, and if you have some spare time and you visit my Facebook, Mr President, you will find a wonderfully warm photo there that shows the compassion that the group shared with young Trent when he found great-great-uncle Arthur Lindsay.

I do not have a lot of time, but I want to quickly talk about Belgium. We commemorated Anzac Day, as I said, in Belgium at Polygon Wood. It was a fantastic ceremony. We also visited Tyne Cot, and a lot of Australian members of parliament would know Tyne Cot because most of us have had the pleasure of visiting Tyne Cot. We also did a service at Menin Gate—and we all know Menin Gate, and I will talk a little bit about Menin Gate—and at Ploegsteert, Hill 60 and Passchendaele museum. We had the pleasure of laying wreaths at all these cemeteries. We also made a diversion on our tour and went to a Belgian military cemetery named Houthulst, where we wanted to commemorate our fallen friends, the Belgians.

I want to say a couple of things about the Menin Gate because over the years I have managed to build some fantastic friendships with the Belgians. I know we have got a Belgian in the Senate, but these Belgians are really good guys. Senator Cormann is a good guy too at times, but these are real good guys and they are friends of mine. I had to say that, Mr President, so that you would not pull me up. I want to acknowledge a couple of them. I want to acknowledge a fantastic friend of Australia, Mr Didier Pontzeele. Didier is the head of the Belgian War Graves office. He looks after the Australian headstones and graves of those buried in Belgian plots or in communal plots. They are mainly RAF and RAAF men who are lying in those cemeteries, and he does a fantastic job. But he is also a great host to the kids.

I have brought Didier out to Australia twice, and I will be bringing him out again in November. He will be doing a speaking tour. I will have him here in Canberra and, through you, Mr President, I will be asking if we can find a room here so he can come and meet a host of senators and members. I would love for you to meet him too, along with the rest of our colleagues, to see what he does. He is a really engaging guy, an ex-serviceman with the Belgian Army. His wife, Ann, accompanies Didier when he comes out too. She made the wreaths for us. She has a florist shop in Ghent, their home town, and she did a wonderful job of making about 12 or 13 wreaths, I think it was, that we got the kids to lay.

I want to acknowledge Mr Jean Cardoen who is from the Belgian National Institute of Veterans and Victims of War, who was once again hosting our group in Ghent. They go out of their way to look after us. I want to acknowledge a real good mate of mine, Mr Paul Breyne. He is the Commissioner-General for the Commemoration of World War One in Belgium. Paul: thank you, mate. Every year I appreciate what you do for the group and the access that you give us to the ceremonies. We are never ever left out of it, and the kids are really part of every ceremony. I acknowledge Mr Benoit Mottrie. Benoit is no stranger. Benoit’s good mate is Mr Brendan Nelson. We brought Benoit and a couple of the buglers
from the Last Post out last year. Benoit falls over himself—and I do not say that lightly because he stands about 14 foot three; you cannot miss Benoit—to make sure that the students in our group get right up the front and get to lay wreaths at the Menin Gate every year.

We know the story of the Menin Gate; we know how fantastic it is. Even when we did the commemorative service on Anzac Day, Benoit made sure that our Aussie students were at the front and our Aussie students got to lay the wreaths, and you have got about 3,000 people there that have to wait till the ceremony is over before they do theirs. Benoit: thank you, mate, and we will see you again next year. Tony and Dirk, our buglers from the Last Post Association, are no strangers. They come over every year and make sure that they introduce themselves to the kids. They have also been to Australia. We brought them out.

I have a couple of quickies. I just want to mention a very special gentleman we met at Polygon Wood. His name was Carl, I think. Carl was the man who was having some renovations done at his property in Zonnebeke. The excavation was about, we are told, two foot from his house. They were digging down and they discovered a parcel of bodies. It was five soldiers wrapped in a tarpaulin and tied up with telephone wire, and, of course, they could not tell who was what. I do not have to explain too much, but Carl said they opened the wrapping and there was one boy whose eye they looked into. Carl said it was very moving but he was ready to be found. The kids experienced this story with him, and it was so moving, and those stories happen every day.

We do not think so much about it and we think about these lovely headstones and we see how well the Commonwealth War Graves Commission looks after our fallen boys. But we also know that it could only be a bone or a finger. So when Mr Didier Pontzele comes, Mr President, I really know that you will enjoy a slide show that he will have. Whatever we can do to thank our Belgian friends, I will make sure that we never forget this. To all the Belgian friends over there that look after us: thank you very, very much. To the parents of the 22 students, I cannot express in enough words: thank you very much for letting your young ones join me on my tour. They were absolutely fantastic, and I look forward to next year's journey.

### Indigenous Communities

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (19:35): I rise tonight to talk about remote communities in my home state of Western Australia. When Mr Barnett, the Premier of Western Australia, talked about the proposed closures of 150 remote Aboriginal communities in Western Australia earlier this year, the country—not just the state—reacted with outrage. The announcement collected a momentum when the Prime Minister referred to those living on their homelands in Western Australia as a 'lifestyle choice'. Rallies have repeatedly drawn huge crowds across the country—even shutting down traffic in central Melbourne. Thousands have signed on to petitions protesting the action, and the Senate itself added its own condemnation at its last sitting.

I recently spent some time in the Kimberley in Western Australia, visiting and talking with people that have felt completely in the dark about the possible closure of their remote Aboriginal communities and the funding chaos under the Indigenous Advancement Strategy, commonly known as the IAS. Different conversations in places such as Halls Creek, Kununurra, Broome, Fitzroy Crossing and in communities such as the Wangkatjungka community had the same theme. People who have deep spiritual connections with the land
were unsure whether they would be allowed to remain on their homelands and in their communities, where their ancestors and elders are buried.

News hitting the region was often stressful and fuelled uncertainty. People talked about living in fear of what will happen. They did not know whether it would be their community that would be closed or whether it would be nearby communities, and they were not sure whether essential services would be cut or phased out, or what lay ahead.

I spoke with an elder in the Wangkatjungka community who told me that the news that the government was intending to close some communities was ripping their spirit and their community apart. Members of the Kurungal council were clearly distressed with uncertainty about what the Prime Minister calls a 'lifestyle choice'. These communities were outraged by the description. Their connection to the land runs so deep, and far deeper than the way in which it was trivialised by the Prime Minister as a 'lifestyle choice'.

Elders from the Kimberley Aboriginal Law and Culture Centre, known as KALACC, are operating on a shoestring budget but do incredible work in their lands. Many of the elders who run the centre were displaced as young adults. They talked to me of the fear of history repeating itself. It is a scary prospect for these men. They talked about how their ancestors were displaced from the land when Europeans took over the land. They talked about going back onto the pastoral country to help run pastoral stations. These are the men I spoke to. It was their living experience that they were put on trucks and trucked to Fitzroy Crossing and dumped on the bank of the Fitzroy River when the wage case was held and pastoralists would not pay their wages. So in other words they were dispossessed again. Then they talked about the experience of being able to establish homelands and communities. They are saying that now the government is talking about moving them off again, history is repeating itself. It is a very live and real fear.

I also spoke to elders who were doing an excellent job running organisations such as Marra Worra Worra, in the Kimberley, and Gooniyandi Aboriginal Corporation, which just very recently got their native title back. They shared the same sentiment. Shutting down communities on their homelands and shunting people into larger hubs would devastate communities. It would stunt positive outcomes and stymie Aboriginal culture.

KALACC and the Gooniyandi community gave me messages and asked me to table them in the Senate. I seek leave to table these tonight.

The PRESIDENT: Is leave granted?

Leave granted.

Senator SIEWERT: Before I table the documents I will read one part, because they are quite extensive. The Gooniyandi Aboriginal Corporation said:

We are saddened at the government's and federal government's threats to close down remote communities across Australia. The Gooniyandi native title area covers 19 Aboriginal communities, many of which are remote, and some are listed as being at risk of de-funding or closure. These political threats have caused real fear in those communities and have upset many, especially the elders in these communities.

One other section says:

---
The GAC directors already have a clear long-term vision that is also shared by its member base and believe it is the best way of addressing a lot of the concerns raised by federal and state representatives when justifying their position of closing remote communities.

KALACC says:

We do not want to be consulted. We demand genuine dialog.

People in remote communities would like Mr Barnett and Senator Scullion to know that they are not stupid. They are aware that the state government is unlikely to shut outright 150 communities all at once. They are aware that the state government could try to wind back services and fold smaller communities into townships and bigger communities. They oppose this. They want control over the decisions affecting their lives and communities.

The clear message from community members and stakeholders is that they want genuine conversations with the government so that they can make the decisions and decide their own fate. Mr Barnett has just said he intends to consult communities as part of his plan. He announced this at the end of last week. But it is clear that he still intends to close many communities. It is hardly consultation to tell a group, two years into the planning process, that the closures are happening whether they like it or not, but they will be consulted from now on.

If the Premier really did care about these groups and communities, then proper and genuine conversations would have begun two years ago when Minister Collier, the Aboriginal affairs minister in Western Australia, claims a broader review into Aboriginal issues began. Communities only heard of the opaque and concerning plans through the media, when Premier Barnett made his comments earlier this year.

Members of the communities I visited told me that consultation means the government coming in and telling them what they are going to do—not listening, top-down decision making and basically making decisions over their lives. The message is that consultation is a dirty word. So I committed to them that I would try not use the word 'consultation' any more, because it has such negative connotations for people. I have promised that I will try at all times to use terms like 'conversation with', 'talking with', 'listening to' and 'genuine dialog', as KALACC has asked. To Aboriginal communities, consultation does not mean anything any more, because they are so used to that meaning, 'We will come in and tell you what to do.' When I visited the Kimberley the resounding answer to my question 'Has the Premier or anybody from the government visited and come up to speak with you and listen to you about these issues?' was no.

With the unfolding debacle of the federal government handing-off municipal services and trying to do deals with states to hand-off responsibility for remote communities, and with the debacle over the Indigenous advancement strategy, mixed in with the comments from the government that they want to close down and wind back Aboriginal communities, there is deep concern in the community. People spoke to me about their concerns over moving into the bigger towns. Mothers said, 'We do not think we will be able to keep our children safe.' Questions were asked about where the support services are, as support services are already being wound back under cuts to Aboriginal supports and funding. They know that the money for those supports is not there. They know that the housing is not available. They told me what happened when people were moved out of the community of Oombulgurri into Wyndham, and they lived on a marsh with no housing for a long period of time. They were
given no supports and no counselling for the abuse that justified the government moving them into Wyndham.

People saw what happened in the past and they know what will happen now. People are clear that they want to stay on their lands. They want decision-making control over their own lives. They want to determine their own future. It is time for the government to abandon plans to shut down remote communities and to go and have conversations with communities about how best to support them and how those communities see their future. The Gooniyandi community has already done that; they already have a plan—Fitzroy Valley already has a plan—Fitzroy Futures—for their future. Go and work with, support and be in partnership with Aboriginal communities so they can realise their hopes and aspirations for their future.

Federation

Senator REYNOLDS (Western Australia) (19:45): I rise tonight to speak on an exciting opportunity for all Australians to have a real say in the reform of our nation. The reform in the Federation white paper, paired with the white paper on the reform of Australia's taxation system present an opportunity to secure long-term structural reform to Australia's federal framework and the processes under which it operates.

I am all too aware that this is not a topic that would readily excite most Australians—as one of my staff recently observed, the topic is about as dry as a chip. I think that is because, historically, discussions on reforming the machinery of our federation have been confined to COAG meetings, to bureaucrats, to halls of Australia's universities and also to dusty pages of long-forgotten history books. While taxation and revenue distribution have been, and continue to be, the subject of much public discussion and significant intergovernmental friction pretty much for the entire duration of our federation, the processes of governance in Australia are equally important. But unfortunately they are often little-understood and very rarely discussed publicly.

I would like to commend this government for providing all Australians with the very rare opportunity not only to learn more about our constitution and our federation but also to be part of the debate on the future of our nation. Today the unity of our federation is being tested on many fronts, and nowhere is this more keenly felt than in my home state of Western Australia, yet again. But no democracy, even our own at a federal and state level, should become complacent. Our federation must continue to evolve, just as Australia has done over the past century. This is to ensure that it remains sustainable and relevant into the future for future generations.

As I said in my first speech, I am both a very passionate Western Australian but also a very proud Australian—two different, but not inconsistent, identities. I believe I have our wonderful, but often underappreciated, constitution to thank for that. The slogan 'One people and one destiny' was used by two of our founding fathers—Henry Parkes and Edmund Barton, and it resonated right across Australian colonies because it was a message of sovereign cooperation and not central integration. In many ways Australia has changed beyond recognition from the country that we were at the time of Federation. But one thing has remained constant throughout that time, and that is the robustness of our elegantly simple, but terribly powerful, constitution.
Our founding fathers very deliberately did not codify in any great detail in our constitution how the federal and state relationships would operate, and the processes and mechanisms under which that would occur. They left that for the Commonwealth, state and territory governments to determine, to review and to change as times themselves change. Therefore, as a nation we have to regularly undertake a process of review and reform to ensure that the dynamics of our federation continue to deliver the best possible outcomes for all Australians at all levels of government. It is important to note that this is not constitutional reform; it is process reform. I firmly believe that no aspect of any process should ever be sacrosanct, particularly in government. The Federation white paper itself provides a multitude of opportunities for reform. The three that are at the top of my list at the moment include a reform of the method of distribution of taxation revenue—coming from Western Australia, that is almost self-evident—and also things like a re-examination of the cooperative structure of our current federalist model, with the real possibility of a shift towards a far more competitive federalism model. Thirdly, and probably the one that has been most discussed in public so far, is the elimination of wasteful duplication caused by the overlapping and hopelessly opaque governance structures between federal and state levels.

I would like to put a case for reform in each of the three areas I cited as an example of the discussions and debate this nation should now be having. Firstly, like all of us individually, the government's focus is inevitably on money; on revenue and expenditure. Nowhere, again, is this more so than in Western Australia, where the state government is preparing to hand down its budget tomorrow. Western Australia's GST share has plummeted to historic depths this year and is projected to continue to drop, leading to what we believe is an unfair and unsustainable situation where we retain just $1.9 billion of the $6.4 billion in GST revenue we will collect this year.

When the current guidelines of the Commonwealth Grants Commission were established this circumstance was never envisaged, and I think it is a very clear example of a process that desperately needs reform—not only for Western Australia but for other states, such as Queensland, which may well find itself in the same situation in the future.

Secondly, I believe we need to challenge and have a really robust public debate about Australia's current cooperative federalist model—called, variously, 'new democracy' and other models over time. This model has evolved with little or no serious public engagement. I believe that this cooperative model provides almost no incentive for states and territories to innovate, to encourage and foster competition, and, most importantly, to generate national wealth. I believe that without fundamental change to our Federation, we will continue to see a race to the bottom, as the states with the strongest economies struggle to meet the demands of the states and territories which are heavily reliant on their income.

I believe that, at its core, federalism is a competitive endeavour, as separate sovereign governments are naturally competitive both in economic terms and in service delivery. I do not believe 'competition' is a word we should be afraid of in public policy. In considering the white paper we now have a fabulous opportunity to really think about how we want our Federation to operate in the future. There are many models of federalism—not just cooperative federalism or competitive federalism—and we really need to have a look at those models and have a discussion about which one of those models, or combination of models, will now best suit Australia, moving forward.
All states and territories should be able to compete with each other and use their competitive advantages to the fullest extent. Every state and territory has clear competitive advantages. They can choose to exercise those advantages but if they choose to lock up their resources or not take advantage of the things that they have, they should not be rewarded for doing so.

In my home state of Western Australia we have always understood the value and requirements of enterprise. We understand ‘competition’ is not a term to shy away from, but we have always, since our colonial days, embraced it in order to drive productivity and to drive colonial wealth and, now, national wealth.

Western Australia’s economic success is no accident. It is the result of decades of sustained government and private sector investment in social and economic infrastructure, paired with sound policy and management in one of the world’s harshest and most remote regions.

So I think that any future federalism model must strike the important balance between ensuring underperforming states have the incentive to undergo economic renewal and strive towards self-sufficiency in the long term, while economically successful states, who have invested in their economic future and taken risks, have the opportunity to reap more of those rewards—rewards for, as the Prime Minister said yesterday, having a go. This should form part of any white paper discussion.

Change is never easy to achieve, particularly when it involves the federal government and all of the states and territories coming together to find common agreement. It took our founding fathers decades of talk, persuasion, compromise and, most of all, persistence and resilience—but they got together and left us a wonderful legacy. Now, over 100 years later, we have another opportunity, on a bipartisan level, to engage in the re-shaping of our nation for the 21st century. I think it is an issue which absolutely transcends party politics.

These reforms will not happen through constitutional reform but through rebalancing and reforming the processes that support it. I reckon that in any democracy that is an exciting thing.

Senate adjourned at 19:55

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.]


Public Governance, Performance and Accountability Act 2013—Commonwealth has acquired shares in NBN Co Limited [3].

Tabling
The following documents were tabled pursuant to standing order 61(1)(b):


Migration Act 1958—Section 486O—Assessment of detention arrangements—Personal identifiers 1001437, 1001443, 1001470, 1001479, 1001511, 1001571, 1001584, 1001593, 1001598, 1001601, 1001603, 1001610, 1001626, 1001629, 1001638, 1001649, 1001650, 1001680, 1001681, 1001707, 1001715, 1001717, 1001718, 1001729, 1001780, 1001783, 1001784, 1001789, 1001790, 1001830, 1001831, 1001848, 1001877, 1001890, 1001897, 1001902, 1001905, 1001909, 1001914, 1001917, 1001940, 1001942, 1001945, 1001947, 1001951, 1001953, 1001955, 1001956, 1001967, 1001996, 1002004, 1002090, 1002097, 1002099, 1002100, 1002157 and 1002167—Commonwealth and Immigration Ombudsman's reports, dated 13 May 2015.


Departmental and Agency Appointments and Vacancies
The following documents were tabled by the Clerk pursuant to order:

Departmental and agency appointments and vacancies—Budget estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—

Communications portfolio.
Defence portfolio.
Employment portfolio.

Departmental and agency grants—Budget estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—

Communications portfolio.
Defence portfolio.
Department of Infrastructure and Regional Development.

Estimates hearings—Unanswered questions on notice—Additional estimates 2014-15—Statements pursuant to the order of the Senate of 25 June 2014—

Communications portfolio.
Tourism Australia.