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SITTING DAYS——2014

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SECOND PERIOD

Governor-General
Her Excellency the Hon. Quentin Bryce AC, CVO

Senate Office holders
President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Parry
Temporary Chairs of Committees—Senators Cory Bernardi, Thomas Mark Bishop,
Suzanne Kay Boyce, Sean Edwards, David Julian Fawcett, Mark Lionel Furner,
Alexander McEachian Gallacher, Scott Ludlam, Gavin Mark Marshall,
Anne Sowerby Ruston, Dean Anthony Smith, Ursula Mary Stephens, Glenn Sterle and
Peter Stuart Whish-Wilson
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 Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Australian Labor Party—Senator the Hon Penny Wong
Deputy Leader of the Australian Labor Party—Senator the Hon Stephen Conroy
Leader of the Australian Greens—Senator Christine Anne Milne
Chief Government Whip—Senator Helen Kroger
Deputy Government Whips—Senators Christopher John Back and David Christopher Bushby
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
## Members of the Senate

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<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<td>Abetz, Hon. Eric</td>
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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.

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(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice H. Coonan, resigned 22.8.11), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice J. Adams, died in office 31.3.12), pursuant to section 15 of the Constitution.
(3) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. N. Sherry, resigned 1.6.12), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. B. Brown, resigned 15.6.12), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice M. J. Fisher, resigned 15.8.12), pursuant to section 15 of the Constitution.
(6) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice C. Evans, resigned 12.4.13), pursuant to section 15 of the Constitution.
(7) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Joyce, resigned 8.8.13), pursuant to section 15 of the Constitution.
(8) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice M. Thistlethwaite, resigned 9.8.13), pursuant to section 15 of the Constitution.
(9) Chosen by the Parliament of Victoria to fill a casual vacancy (vice D. Feeney, resigned 12.8.13), pursuant to section 15 of the Constitution.
(10) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr, resigned 24.10.13), pursuant to section 15 of the Constitution.

PARTY ABBREVIATIONS

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
# ABBOTT MINISTRY

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<td><strong>Prime Minister</strong></td>
<td>The Hon Tony Abbott MP</td>
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<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon Nigel Scullion</td>
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<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon Eric Abetz</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon Warren Truss MP</td>
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<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon Jamie Briggs MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon Andrew Robb AO MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Foreign Affairs</strong></td>
<td>Senator the Hon Brett Mason</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
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<tr>
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<td><strong>Minister for Small Business</strong></td>
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<td>Senator the Hon Arthur Sinodinos AO</td>
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<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
<td>The Hon Steven Ciobo MP</td>
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<td>The Hon Barnaby Joyce MP</td>
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<td>The Hon Bob Baldwin MP</td>
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<tr>
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<tr>
<td><strong>Manager of Government Business in the Senate</strong></td>
<td>Senator the Hon Mitch Fifield</td>
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<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon Michael Ronaldson</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>Senator the Hon Michael Ronaldson</td>
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The PRESIDENT (Senator the Hon. John Hogg) took the chair at 12.30, read prayers and made an acknowledgement of country.

COMMITTEES

Legal and Constitutional Affairs References Committee

Meeting

Senator WRIGHT (South Australia) (12:31): by leave—I move:
That the Legal and Constitutional Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate today, from 4.30 pm to 5.30 pm to take evidence for the committee’s enquiry into a public interest immunity claim.

Question agreed to.

Legal and Constitutional Affairs Legislation Committee

Meeting

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (12:32): by leave—
At the request of the Chair of the Legal and Constitutional Affairs Legislation Committee, Senator Macdonald, I move:
That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting at the Senate today, from 1.15 pm.

Question agreed to.

MINISTERIAL STATEMENTS

Anzac Centenary

Senator RONALDSON (Victoria) (12:33): by leave—I am pleased to present the government's second ministerial statement on the Centenary of Anzac. The government committed to delivering regular and informative updates to the Australian people about the progress of centenary preparations. Today's statement, coming at the beginning of the parliamentary sitting year, will further update Australians about the progress of the ballot for the 2015 Gallipoli dawn service and further commemorative events across the centenary period.

Since coming to office, the government has set about taking the hands-on approach necessary to ensure that the centenary commemorations are the success they must be. This has included addressing funding shortfalls for the National Anzac Centre in Albany, of which the Commonwealth has provided a further $1.35 million, on a 75:25 funding split arrangement with the Western Australian government.

The Commonwealth is confident that the Western Australian government, together with the Albany City Council, will deliver the Anzac Interpretive Centre on time to mark the 100th anniversary, on 1 November, of the departure of the convoy of ships which carried Australian and New Zealand troops to the Middle East in 1914. The government has also increased funding for local community based commemorations, lifting grants under the Anzac Centenary Local Grants program to $125,000 per federal electorate.
In this ministerial statement I will outline the government's agenda in the lead up to centenary of, arguably, one of the most defining moments in our nation's story—the landing of Australian and New Zealand troops, the Anzacs, at Gallipoli.

Last Friday, I had the opportunity to meet with my New Zealand counterpart, the Hon. Michael Woodhouse MP, to discuss preparations for the Centenary of Anzac. Our discussion reinforced the importance of our two nations' working together with a common purpose to deliver commemoration of events of fundamental importance to each nation's story. Minister Woodhouse assured me of the New Zealand government's ongoing desire to see the centenary marked in a solemn and dignified manner. New Zealand will be an active participant in Australia's major commemorative events in 2014, particularly the Albany convoy commemorative event on 31 October and 1 November this year.

I now turn to the 2015 ballot. The ballot for the 2015 Anzac Day dawn service at Gallipoli is now closed, with more than 50,000 applications being lodged by Australians and New Zealanders. The government, working with Ticketek, is aiming to advise applicants in the ballot on or around 31 March this year of the outcome. The strong response from first-generation sons and daughters of Gallipoli veterans will result in the ballot for the direct-descendant category considering only these applicants in the first cascade. All other direct descendants who registered will be considered in the veteran category, if they are also veterans, or otherwise in the general public category.

Anzac Day 2015 will not be confined to the Gallipoli peninsula. Events will take place not just in Australia, but across the world. Those who do not receive a ticket through the ballot may wish to explore other options for commemoration of Anzac Day in 2015. In addition to commemorative ceremonies which will take place in towns and cities right across Australia, major commemorative events will occur in the state capitals and in Canberra at the Australian War Memorial. With Anzac Day falling on a Saturday in 2015 this may present families unable to travel overseas with an opportunity to visit places in Australia normally out of reach.

On an international level, the Australian government will also be organising an Anzac Day dawn service at the Australian National Memorial at Villers-Bretonneux, in France. There are annual Anzac Day services held in London, in Belgium, in Papua New Guinea and throughout South-East Asia. Services will also be taking place in New Zealand.

To ensure the safety of the Anzac commemorative site, and the dignity and solemnity of the Anzac Day dawn service and other commemorative events, it is anticipated that restrictions on travel to and from the Gallipoli peninsula may be in place on and around Anzac Day 2015. For those Australians without tickets to the dawn service on 25 April 2015, the Australian government strongly recommends against travel to the Gallipoli peninsula around this time. Access will be carefully and strictly managed. As noted in my earlier statement, Australians are encouraged to consider visiting the Gallipoli peninsula at times other than Anzac Day.

Anzac Centenary Public Fund

On 12 December last year, I was honoured to join with the Prime Minister and Mr Lindsay Fox AC to officially launch the Anzac Centenary Public Fund. I acknowledge again the tremendous work of Lindsay Fox. Mr Fox has given a great deal of his personal time and
energy to work with corporate Australia to encourage them to give generously to the fund. The Australian government is grateful to Mr Fox for his efforts and thanks him most sincerely for his ongoing generosity.

The government's first fundraising priority is the Centenary of Anzac national travelling exhibition. The travelling exhibition will enable Australians, particularly those living outside the capital cities, to share in the Centenary of Anzac and to learn about the Australian experience of the First World War and our century of service since. Earlier this week, the Australian War Memorial, who are managing the exhibition on behalf of the government, signed a contract with Imagination Australia Pty Ltd to develop the creative content for the exhibition. The Centenary of Anzac exhibition proposal is an exciting one and I will be working closely with the Australian War Memorial and Imagination Australia Pty Ltd to ensure the exhibition accurately tells the story of Australia and Australians during the First World War.

If I can deviate briefly: on behalf, I am sure, of senators and members in the other place, I thank the chairman of the Australian War Memorial and the Director, Dr Brendan Nelson, for the last post service that so many of us attended last night. I know we were all very grateful for the opportunity to do so. I know that the director and the chairman were absolutely thrilled that so many of our colleagues took the opportunity to go to that event.

In addition to the travelling exhibition, and based on promises already made, the government expects that funds will be available to assist state and territory governments to develop their own commemorative infrastructure. To aid this, the government encourages corporate Australia to dig deeply and give generously to the Anzac Centenary Public Fund. In the tabled statement I have made reference to those companies who have generously supported the fund to date. Through their generosity more Australians will be able to share in the Centenary of Anzac.

**Centenary of Anzac merchandise**

As minister, I have a responsibility to ensure that use of the word 'Anzac' is dignified and in line with rules established under legislation. I can assure all Australians that I am using this responsibility diligently and that I will approve merchandise for sale only where it is appropriate and dignified. I can report to honourable senators that there have been a number of occasions in the last two months where I have refused to give recognition because I was very strongly of the view that the test of being appropriate and dignified was not met.

**2015 and beyond**

The Australian government is determined to ensure that the sacrifice of all 61,512 Australians who made the supreme sacrifice in the First World War, and whose names are recorded on the roll of honour at the Australian War Memorial, is appropriately honoured and recognised during the Centenary of Anzac period. Later this year we will remember Australia's first battle of the First World War, at Rabaul in New Britain in September 1914, and our first battle casualties of the war.

The Centenary of Anzac goes beyond just the events which took place at Gallipoli. As is recorded in the history books, following the withdrawal of Australian and New Zealand forces from the Gallipoli campaign in December 1915 Australian forces then went on to fight on the
Western Front in France, where more than 46,000 Australians were killed in action and another 130,000 were wounded.

From 2016 onwards, Australia will ensure that the efforts of our men and women on the front line in France, Belgium and the Middle East are appropriately honoured. In France, in 2016, commemorative services will be held to mark two of the most significant battles of 1916—the battle of Fromelles, on 19 July, and the battle of Pozieres, on 23 July.

In September 2017, a service at the Buttes New British Cemetery in Belgium will commemorate the service and sacrifice of Australians who served in the battle of Polygon Wood, a campaign during the third battle of Ypres. The service will commemorate all who served in Belgium during this period. Also in 2017, and together with New Zealand, we will commemorate the Australian Light Horse and the desert campaign with a commemorative service planned for Beersheba in Israel.

The year 2018 will see services conducted to commemorate the extraordinary service of Australians on the Western Front in 1918. These services will focus on Villers-Bretonneux, the site of the Australian National Memorial in France. The Australian attack at Villers-Bretonneux, which took place on 24 and 25 April 1918, played a vital role in preventing a German breakthrough at a critical time in the war. Later, on 4 July 1918, at nearby Le Hamel, Australians led by General Sir John Monash would secure a stunning model victory which would become a much studied template for further Allied success. Both of these events are proposed to be marked in 2018, along with a suitable day of commemoration on 11 November—the 100th anniversary of the armistice which was to be the end of 'the war to end all wars'.

Over coming years, the Australian government will continue to provide all Australians with advice about official commemorative events to mark the Centenary of Anzac and the First World War, both at home and overseas. We will also ensure that commemorative events are held to mark significant anniversaries of the Second World War, such as D-day, VE Day and VP Day, along with events to remember the 65th anniversary of the Korean War and the 50th anniversary of battles during the Vietnam War.

**Conclusion**

In conclusion, the Australian government is committed to ensuring that the Centenary of Anzac leaves a lasting legacy for all Australians. We will honour the extraordinary deeds of ordinary men and women: men and women who did not go to battle to seek glory but who, by their deeds and actions, achieved greatness.

It will be a legacy not just of bricks and mortar but, and perhaps more importantly, a legacy of understanding. It will be an understanding of what we fought for, where we fought and why we fought. It will be an acknowledgment of our defeats and an awareness of our stirring victories and decisive achievements on the field of battle, on the seas and in the sky.

Equally and importantly, it is an opportunity to reflect on the horror, tragedy and waste of war. As a nation, we have a responsibility to ensure that the service and sacrifice of past generations is never forgotten. The Centenary of Anzac is not a period to glorify war but to reflect on its horror. We will remember those who made the supreme sacrifice in defence of our beliefs and our way of life. We will remember those who came home wounded in body and spirit, and we will remember their families.
The Centenary of Anzac is not just about the past but also about the future. It is the understanding that tens of thousands of men and women continue to serve our nation today, upholding a tradition that started a century ago. These men and women, and their families, devote their lives to the protection of ours and we owe them—as we owe their forebears—our gratitude and respect for the work they do in our country's name.

Senator FARRELL (South Australia) (12:46): by leave—I have stated in this house before that if there is anything on the Australian landscape that is above politics it is the celebration of the Centenary of Anzac. The opposition certainly appreciates the update that Senator Ronaldson has just given us in the house this afternoon; but we also want to ensure that we do not forget the work of the former minister Warren Snowdon, who has laid much of the groundwork for this monumental occasion in Australia's history.

The Centenary of Anzac is above political point-scoring. Rather, the Centenary of Anzac is truly a great opportunity to unite to honour the Anzac spirit and the sacrifice and bravery of those who have served over the past century. It is an opportunity to remember and give thanks for the 416,000 Australian volunteers in World War I, including the 61,522 Australians killed in bloody battle. We will honour, in a special way, the 5,482 Australians who were killed in action at Gallipoli and the 2,677 who subsequently died from wounds or disease. We will not forget the one million Australians who have served and continue to serve in our defence forces.

I welcome, on behalf the opposition, today's announcement outlining the ongoing ballot process. A response of over 50,000 applications lodged by Australians and New Zealanders is extraordinary proof that Anzac Day, and in particular the Centenary of Anzac day in 2015, will be considered one of the most important events to occur in Australian history. Making sure that successful ballot applicants are informed of their place as quickly as possible is very important so that they can then make their arrangements to attend this event next year.

It is accepted on both sides of parliament that the Anzac commemorative site on the Gallipoli peninsula can safely hold up to 10,500 people. This will comprise 8,000 Australians, 2,000 New Zealanders and approximately 5,000 official representatives of all countries that served in the Gallipoli campaign. The ballot process represents a fair and transparent approach. Widows of World War I veterans were rightly offered special invitations to attend Anzac Day at Gallipoli and do not need to enter the ballot.

In the lead-up to these commemorations, it is particularly important to remember the hospitality and the generosity of the Turkish government. Every year, they allow thousands of Australians to make a pilgrimage to the hallowed beaches of Anzac Cove on the Gallipoli peninsula. It is wonderful that more and more young Australians join the annual pilgrimage to the birthplace of the Anzac legend. Another example of how this event in Australian history will live on through the generations and will never be forgotten is the 400 places set aside for students and their chaperones to attend the centenary event. That will ensure that the event is shared with all generations of Australians. Braving the cold, as well as a harsh landscape with few facilities, they connect with the Anzacs and the horrors that they endured.

Unfortunately, the downside of having such a large response is that it means some people are going to miss out. Those who do not receive a ticket should make an effort to explore other more local options for the commemoration of Anzac Day in 2015. They may also wish
to attend the Anzac Day dawn service at the national memorial at Villers-Bretonneux in France.

Locally, across cities and country towns in Australia there will be Anzac Centenary projects, which were funded by the government's Anzac Centenary Local Grants Program. These are available through every federal electorate in Australia and, as we have heard, the Department of Veterans' Affairs is administering these grants. I encourage all Australians to become involved in centenary commemorations, because the Centenary of Anzac is for and about the Australian people and the Australian way of life. It is about ordinary Australians remembering those brave men and women who left their cities and towns to join theatres of war in unfamiliar and unkind lands.

I would also finally like to mention and congratulate those companies who have committed to the Anzac Centenary Public Fund. I was at the launch late last year with Mr Fox and the minister. The fund has gained financial support from some of Australia's largest businesses. The minister read these out, but I think it is worth repeating them. They include BHP Billiton, Woodside Petroleum, the National Australia Bank, the Commonwealth Bank of Australia, the ANZ Bank, Telstra, the Australian Football League, Crown Resorts Limited, Horizon Holdings Ltd, News Corp, Leighton Holdings, James Packer, the Linfox Group and Boral. Mr Lindsay Fox has been instrumental in campaigning for the support of corporate Australia and in encouraging them to give generously to this fund, and I would like to extend my appreciation to Mr Fox for his terrific work in this regard.

Also, I put out a call to any other businesses who have been approached but as yet have not committed to the fund to give generously to this great cause, as the legacy the fund will leave will mean a very great deal to many Australians.

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:53): by leave—I rise today to thank the government for the update that the Minister for Veterans' Affairs has provided with regard to the Anzac Centenary. It is, as the minister has said, a commemoration. It is to honour and respect those who have served our nation in both war and peace in the past and in the present. It is actually about the last hundred years of service to our country. And it is about framing that experience of our service men and women and of our nation and of our community in their response to war and about working out how that will influence the way we approach this century in the pursuit of peace.

This centenary event is not a hundred years of glorification of war or any kind of 'reductionist jingoism', as Paul Keating put it once, but in fact it is—and I borrow the name of a play that has currently opened in Sydney—The Long Way Home. I think this centenary is the long way home to our hearts, minds and national story of what the sacrifice has meant to us.

The years 1914 to 2014 has been a bloody, violent century. It was dominated by war, not least because the nature of warfare and the weapons of war became ever more powerful, ever more destructive. We went from the Light Horse, for example, in the First World War through to nuclear bombs in Hiroshima and Nagasaki through to the drones that are used in modern warfare today.

When we think about this Anzac Centenary covering the hundred years of Australian service, we are talking about the first and second world wars, we are talking about Korea,
Vietnam, Iraq and Afghanistan and we are also talking about Australian service men and women trying to facilitate peace everywhere from Indonesia in 1947 through to Cambodia, Rwanda, Somalia, East Timor, Darfur and so on.

So much has been written of Anzac Day and the sacrifice at Gallipoli in World War I, but I think it is important to put it in the population context of the day. Australia's population at that time was less than five million people, and 416,809 enlisted. For a population of fewer than five million, it is clear why people were so profoundly impacted, because, if you think of a population of that size, you realise that everybody knew someone. In that war, 61,512 died but 156,000 came back wounded, gassed or with the experience of having been taken prisoner. It is why part of the national identity is the small-town memorial. I want to read for a moment from a poem by a Canberra based poet, Geoff Page, *Smalltown Memorials*:

No matter how small
Every town has one;
Maybe just the obelisk,
A few names inlaid;
More often full-scale granite,
Marble digger (arms reversed),
Long descending lists of dead:
Sometimes not even a town,
A thickening of houses
Or a few unlikely trees
Glimpsed on a back-road
Will have one.

... ... ...
Unveiled;
Then seen each day —
Noticed once a year;
And then not always,
Everywhere.
The next bequeathed us
Parks and pools
But something in that first
Demanded stone.

It is certainly my experience in Tasmania, but also as I move around the country, that every town has their war memorial, and the First World War did demand stone from communities to commemorate the sacrifice.

I did study the First World War at university and travelled in my youth to many of the allied cemeteries on the Western Front, and then in 2005 I visited Gallipoli. I have to say it was a profoundly moving experience, but I was really distressed at the time about the changes that were being made to the site at Gallipoli to facilitate greater numbers of visitation. Bulldozers ripped into the cliff face behind Anzac Cove, spoil was dumped straight over the
side onto the beaches, and the result is that you now have a terraced effect at Anzac Cove. You have lost the physical context of the troops arriving and facing those cliffs, as it was when they arrived at Gallipoli on, as we refer to it, Anzac Day. I find it really disturbing that we have lost that physical context, but we have not lost the context of the emotional engagement with our nation or the respect for the bravery, the sacrifice and the human characteristics of mateship, courage and humour and everything else we have come to understand about Australians serving in any war—World War I but other wars as well. They did not fight for some old idea of empire, what they did fight for was the future of our country and the defence of the values which we regard as important as Australians—freedom and our future.

I would like to finish by saying I am pleased the government is saying that this year is not about a glorification of war, but rather it is about recognising the horror, the tragedy, and the waste and futility of war and recognising the bravery and courage of those who follow orders to fight on our behalf. It is in that context that I would say that as parliamentarians we want to make sure that we change the law in this country to ensure that it is only the parliament which can commit young Australians to serve in war, because there is no greater responsibility for a parliament than taking that decision.

I want to end with The Long Way Home. I went to the opening in Sydney on Saturday night and I would encourage all members of parliament to try and see this. It will tour the country. It is a play which is a collaboration between the Defence forces and the Sydney Theatre Company and it is about the experience of the war in Afghanistan. It talks about the trauma of the experience, the difficulty in coping on returning home and the grieving for a military identity that defined the lives of troops at that time. It is an important part of this Centenary of Anzac to look at the experience of our troops in that war and to support them now in every way we can to help with the healing process. The Long Way Home certainly does that.

I want to thank the government for the work they are doing on the Centenary of Anzac, and I am certainly proud of the bravery, courage and humour of the Anzacs. I am grateful for their sacrifice; and I am mindful of the responsibility as a member of parliament to honour that sacrifice but also to move to make sure that in the future it is the parliament that takes that responsibility.

Senator IAN MACDONALD (Queensland) (13:02): by leave—I want to congratulate the minister on the tabling of his statement and congratulate the government on the work that they have been doing to commemorate the very significant Australian involvement in World War I generally. There are stories all around Australia, fortunately given firsthand by just a few of the children of the original Anzacs that need to be recorded. I did not see the minister's statement before he delivered it a little while ago, and I am delighted to see the work that minister and the government is planning post-2015. It brings to mind a constituent of mine, who is also a friend, whose father, Lieutenant Thomas Dwyer, was very much involved in the Western Front. I am pleased that the minister is acknowledging that, whilst Gallipoli was almost the birthplace of our nation, other elements of the fighting in World War I were particularly important to Australia and Australians. Indeed, by far the greatest casualties occurred on the Western Front. For example, Lieutenant Thomas Dwyer enlisted in March 1916; he embarked in November 1916; he was wounded at Polygon Wood in September 1917; he was then wounded again at Villers-Bretonneux in April 1918; he was wounded a
third time at Corbie in June 1918. He was wounded again in the Battle of Hemal near Vaire Wood in July 1918, and as a result of that particular incident he was awarded the Military Cross. He had the honour of having that Military Cross presented to him directly by His Majesty King George V.

My friend and constituent is hoping to get to the Western Front next April, mainly because, whilst it is not the 100th anniversary of his father's activities at Polygon Wood, Villers-Bretonneux and Hemal, which is particularly close to him. Whilst this is an individual example that I am citing, I am sure that there are literally thousands of other cases across Australia of relatives, and indeed first descendants, of those who participated in those battles who do want to be part of the very significant commemorations of the First World War, starting next year. I was pleased to hear the minister say that there will be further commemorations for these significant battles post-2015. I want to congratulate the minister for doing that, because it is important that the minister is aware of the circumstances of my constituent and thousands of other immediate descendants and is able to do something to commemorate those very significant battles and the contributions of so many Australians, and to allow those descendants to be part of those commemorations.

**BUSINESS**

**Consideration of Legislation**


Leave not granted.

**Senator ABETZ:** Pursuant to contingent notice, I move:

That so much of the standing orders be suspended as would prevent me moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion relating to the consideration of the Building and Construction Industry (Improving Productivity) Bill 2013 and a related bill, and the Fair Work (Registered Organisations) Amendment Bill 2013.

I intend at the end of the debate to move that a motion relating to the consideration of legislation may be moved immediately and have precedence over other matters.

At the last election the coalition sought a clear mandate from the Australian people to reinstitute the Australian Building and Construction Commission and to establish the Registered Organisations Commission. So urgent did we consider these reforms that we promised to introduce the relevant legislation in the first week the parliament sat. We did so. Today Labor and the Greens are still frustrating the will of the Australian people by having sent our legislation not to the Senate legislation committees but to a reference committee.

The revelations of recent times—from the Thomson trial to the plea of guilty by the former national ALP president Mr Williamson and the revelations by the ABC and Fairfax Media, along with whistleblowers from the union movement itself, of systemic and sophisticated slush funds dealing in hundreds of thousands of dollars—have provided absolute and unassailable vindication of the coalition's policy positions. These positions have been upheld.
and supported by people such as Ian Cambridge, who was a Fair Work commissioner; Kathy Jackson, Ralph Blewitt; Mr Giles QC; a former Labor Attorney-General, Rob McClelland—and so the list goes on.

The Labor Party say that we do not need a royal commission and that instead we simply need a task force. But we did have a task force. It was called the Australian Building and Construction Commission. Guess who dismantled it! It was the Labor Party, who are now claiming that we need a police task force to deal with corruption in the building sector. In New South Wales there was a police task force dealing with corruption; and then Labor won government. I will give you one guess as to what happened to that task force. It was abolished. The same thing happened in Western Australia. The Labor Party's actions on such matters speak so much louder than their words.

In moving this motion today, the coalition is seeking to provide an opportunity to Labor and Greens senators to reconsider their attitude to the bills which would reinstate the building and Construction Commission and establish the Registered Organisations Commission. Their attitude seems to be more motivated by their resentment of the decision of the Australian people on 7 September than by the requirements of good governance of our nation.

We all know that, when the Australian Building and Construction Commission existed, industry multifactor productivity rose by 16.8 per cent, that Australian consumers were better off by $7.5 billion per annum and that there was a significant reduction in days lost through industrial action. Labor got rid of the Australian Building and Construction Commission, and within weeks there was violence on the streets at the Myer Emporium site, which is run by Grocon and where workers who are members of the union had to take out a paid advertisement asking the CFMEU leadership to desist from thuggery, violence and intimidation. We saw the pictures beamed into living rooms right around the nation of the ugliness of police horses being hit by so-called demonstrators. We know what happens when task forces such as the ABCC are got rid of.

Today we seek to give Labor and the Greens the opportunity to reconsider their attitude. We are seeking as a government to implement a policy position which we set out to the Australian people not only before the 2013 election but also before the 2010 election. We want to restore the rule of law to the construction sector and integrity to the registered organisations movement in this country. The Labor Party and the Greens have a choice: they can be part of the solution, or they can continue to be part of a problem that the Australian people want fixed—and fixed urgently.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (13:12): Here we have another day and another stunt from the Leader of the Government in the Senate. This stunt is motivated not by the national interest but by the media plan of the Prime Minister's office. It is the latest in a series of stunts which underline two things: first, this government's inability to manage the chamber and, second, that you can always trust the Liberal Party to focus on the Liberal Party's political interests and never on the national interest.

On a day when you would think that the Minister for Employment might want to talk about jobs, given the thousands of workers and their families who are dealing with the news of Toyota's decision to close in light of his government's actions, instead he wants to perform a political stunt—probably at the request of the Prime Minister's office. Here we have a Leader of the Government in the Senate who is too weak to stand up to the Prime Minister's office.
and manage this chamber. He is a Minister for Employment who never says anything about employment.

We know this partly from what Senator Abetz himself said on the last day he was in this place. Senators might recall that we had a suspension of standing orders debate on the last day of the last sitting period. What—surprise, surprise!—was being required of the Senate then? The Senate had to vote on the carbon package. That was the government's main priority. We had to suspend standing orders and debate it and get it resolved before we rose. That happened on the last day of the last sitting period but the very next sitting day the Leader of the Government in the Senate came in and said, 'Actually, we've changed our minds'—and for that you can read that the Prime Minister's office had changed its media plan—'and we now want to talk about building and construction workers rather than carbon.' Heaven forbid that we might actually talk about jobs! Heaven forbid that we might actually talk about jobs and employment at a time when families are facing the end of their employment—as a result of this government's auto-sector policies. Let us be clear: the Leader of the Government in the Senate does the bidding of the Prime Minister's office. At some point he needs to stand up and manage the chamber properly.

The minister made a number of factual errors in his assertions about the ABCC. My first point is this: it is not unusual—and I am sure that Senator Abetz has on previous occasions lectured the chamber about this—for a bill to be referred for further inquiry. I suggest that it is in fact likely that in times past Senator Abetz has himself referred matters for further inquiry. Second, this is not a long inquiry. The committee is getting on and doing its job. When the committee has reported to the Senate, the Senate will consider the bill. That is how things work here in the Senate. I also make the point that the Senate Scrutiny of Bills Committee has considered this legislation and has raised concerns about the bill's trespass on personal rights and liberties. But this is not, of course, a government that is interested in scrutiny, accountability or the public interest. The senator also talked about Labor's announcement of its support for a task force involving the Australian Crime Commission and police across the country. He said, 'Well, we previously had a task force—it was called the ABCC.' Let us be very clear: the ABCC did not have the power to investigate criminal matters. It was an industrial watchdog. It was there to police industrial laws; it was not there to deal with police matters.

We on this side, the Labor Party, will have no truck with those involved in corruption and we will not support anything other than the strongest form of investigation by the police into allegations of criminal conduct. That is what we are supporting. What we will not be part of is a stunt that is all about a government media plan and not about getting outcomes. This motion demonstrates yet again that the Leader of the Government in the Senate is simply seeking to manage the chamber in accordance with the media plan imposed by the Prime Minister's office. Labor will not be supporting the motion.

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (13:17): Nothing changes, does it? Here we have an attempt by the government to bring forward debate on very important legislation—very important to the employees in these industries whose rights are being trampled upon and whose wealth is being thieved by union officials—to progress a debate on how to protect the rights of those workers. And what does Senator
Wong stand up and want to have a debate about? All the internal stuff—the Prime Minister's office's alleged dealings with the Leader of the Government in the Senate and media plans. There is something about the Australian Labor Party. They just cannot get beyond the fact that they are a bunch of wannabe *West Wing* characters. It is all inside the Beltway. It is all about the politics within the politics. It is never about the merits of the issue.

The other thing I thought very notable about Senator Wong's performance in the chamber a few moments ago is that she failed to advert to one very significant relevant fact: which union, infamous for its lawlessness, infamous for its violence, infamous for its corruption, felt most threatened by the Australian Building and Construction Commission and would be most threatened by its reintroduction? As we know, it is the CFMEU. And for which union was Senator Penny Wong an official before she came into this parliament? I am here to tell you that it was the CFMEU.

Senator Fifield: I didn't know that!

Senator BRANDIS: Yes, indeed, that is the case, Senator Fifield. Senator Wong speaks in this parliament as the agent, the proxy, the delegate, the apologist and the former official of the CFMEU. No wonder Senator Wong and the Labor Party in general want to protect the CFMEU and other violent, lawless, crooked trade unions from the scrutiny and the enforcement of the rule of law which this government is determined to bring to them in the interests of the innocent workers, the innocent union members, whose lives are controlled by union officials.

Indeed, Senator Wong was an official of the CFMEU just as Mr Bill Shorten, before he came into the parliament, was an official of the Australian Workers Union—in fact, he was the National Secretary of the Australian Workers Union. I see Senator Doug Cameron over there. Good afternoon, Senator Cameron, and happy new year to you. Senator Cameron comes into this place as the delegate of his union. What was it, Senator Cameron? The AMWU? I see Senator Gallacher over there and other Labor Party senators, all of them, virtually without exception, sent into this place to be apologists for the trade union movement. One would look in vain, for the reform of trade unions, to the very people who owe their places in this parliament to the trade unions and who, in most cases, were themselves the very trade union officials who controlled those unions.

We, the government, are determined to bring lawfulness back to the workplace. We are determined to reinstitute the ABCC. We are determined to reform the law in relation to registered organisations to ensure that they observe the rule of law, that they respect their members' funds and that they conduct their union in accordance with the rights of the workers. Senator Cameron and others are famous for invoking the question: what about the workers? I will tell you, Senator Cameron, what about the workers. This coalition government is the best friend the workers of Australia have ever had, but we are determined to be the worst enemy that the corrupt, violent, thuggish, trade union officials have ever had—and we will ensure that the rule of law governs them.

Senator MILNE (Tasmania—Leader of the Australian Greens) (13:22): What an ideological rant from Senator Brandis. He started with a totally hypocritical statement claiming that the previous speech, by Senator Wong, was about politics, not about the true merits of the issue, and then he spent his entire time engaged in an ideological rant against the unions and an attempt to frame people's contributions in the Senate as being somehow
governed by particular jobs that they may have held previously. What an appalling state of affairs.

We will not be supporting a suspension of standing orders because, apart from anything else, the Prime Minister has spent the entire summer running around the country telling Australia that the government’s first item of business in parliament would be to get rid of carbon pricing. That is what they were going to do. Nothing was going to stand in their way—nothing, until they hit upon a political scam that they decided to go after in an attempt to demonise the union movement in Australia. That is exactly what has gone on here.

There is one emergency in this country about which I would like to inform Senator Abetz—the climate emergency. In case he has not noticed, there are bushfires burning across Victoria. Heatwaves, extreme weather events, have claimed many lives this summer. In fact, in Victoria, there has been double the death toll than there would have been in normal circumstances. People right around the world are struggling in the face of these extreme weather events and yet the government wants to tear down the only policy framework we have in place that is starting to address the climate emergency, by bringing down emissions in the electricity sector.

Are we to believe from this that the Prime Minister, Mr Abbott, has spent the entire summer telling Australia something that is not true? What they have worked out is that the Australian community has got to the point where it no longer trusts the government on the issue of climate and now we are witnessing an attempt to distract the community from the realities of what is happening in the physical world out there in local Australian communities. People are really worried about having to deal with the ongoing impacts of heatwaves and fires. They are disturbed when they hear, as we heard on the radio today, about extreme weather in the United Kingdom and the possibility of the Thames bursting its banks. Right across the planet, people are worrying about the impacts of climate change. The Prime Minister said that his first job was going to be to humiliate the nation by tearing down the clean energy package—that was what he was going to do. The politics are now such that he has decided that such a course of action would not serve his political interests, because what he wants to do is frame his government as one which will tear down yet something else. The only thing that he is good at is tearing things down, not building things up—not creating infrastructure for the future; just tearing down what we have.

The Senate Education and Employment Legislation Committee inquiry into the re-establishment of the ABCC is really important. It is important because it will expose the fact that the ABCC will have some of the most draconian and coercive powers ever seen in Australia. These building and construction industry laws take away the right to silence; they deny people their choice of lawyer; they provide powers to compel evidence, with the threat of jail if witnesses do not comply; and they impose severe restrictions on the rights of workers to organise and bargain collectively. These measures were undemocratic and discriminatory at the time they were brought in, and they should never be reinstated. I am keen to see as much evidence as possible go before that Senate committee and am prepared for it to take as long as it takes.

The Greens have consistently campaigned against ABCC establishment laws and for their abolition, and the reinstatement of the ABCC would be a return to the most extreme and draconian elements of former Prime Minister John Howard’s Work Choices. It is an anti-
union ideology and it is an underhand attack on wages and conditions. We are not going to support a naked political agenda, and we want to put a consistent message to the government today—and that message is Tony Abbott, the Prime Minister, has run away from his promise to the nation in relation to climate.

Senator CAMERON (New South Wales) (13:27): We have had laid bare before the Senate today the ideological agenda of the Liberal Party. The Liberal Party have just laid bare their hatred for workers acting collectively to get better wages and better conditions. Senator Brandis opened his little effort by saying that nothing changes. Well, nothing changes in the Liberal Party—because the Liberal Party really do want to return to Work Choices. Senator Abetz sighs, but Senator Abetz was a Work Choices warrior and he still is a Work Choices warrior.

We have to look at the ABCC in the context of what is happening in the industry. We heard a tirade from Senator Brandis, but let me tell you what the Australian Industry Group said to the inquiry of the Senate Education and Employment Legislation Committee. The AiG want the ABCC to be reinstated because it gives them more power, gives their members more control, diminishes wages, diminishes conditions and stops workers organising effectively to look after their families and their communities. Senator Brandis ranted about lawlessness throughout the industry, but the AiG said 'there are incidents of isolated personal impropriety.' Every organisation has at some stage faced isolated personal impropriety, including the Liberal and National parties. Every organisation, every business, from time to time faces isolated personal impropriety. But do you then set up an ABCC or call a royal commission designed to deny people the rights that apply around the world to workers to act collectively and look after their families? No you do not. There is an inflated position being put by the Liberal Party that there is this issue of general malfeasance in the industry, and it is not true.

The AiG, when they are pursued on this in the inquiry that is so important, say that people who represent employer organisations and unions at the decision-making level—the board level of organisations; the executive level of unions—are overwhelmingly dedicated and ethical people. If you listened to Senator Brandis, you would think that everyone in the industry was a crook. It is not true. This is about a political attack, an ideological attack, on the union movement. They try and present a union like the CFMEU, that is out there trying to protect its members' interests in a tough industry, as overwhelmingly crooked. It is not true. It is just not true.

The biggest laugh I got out of Senator Brandis's little argument was: 'The coalition is the best friend workers ever had!' Tell that to Dr Sharman Stone. Tell that to the National Party. Tell the workers at SPC that the coalition is their best friend. Tell that to the workers at Holden, at Ford, at Toyota—that the coalition is their best friend. They know that the coalition has walked away from protecting jobs and protecting communities in this country because of some macroeconomic ideological position— (Time expired)

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (13:32): In moving to bring in the legislation relating to the re-establishment of the ABCC and the Fair Work (Registered Organisations) Amendment Bill 2013, what have we seen from the other side? We have seen nothing but more obstruction from the other side of this chamber. I think it is about time that those on the other side of this chamber realised that on 7 September the Australian people made a decision that they wanted
the coalition to run the country, and I can tell you that they are fed up with the obstructionist attitude we are seeing from the other side of this chamber and, indeed, from the Labor Party and the minor parties in general.

For Senator Cameron to say that the coalition has a hatred for workers is absolutely beyond the pale. I am a farmer. I live in a regional community. I live with workers. I reach out to workers. I am at the local pub with workers. So don't you dare tell me that this side of the chamber has a hatred for workers. The fact that Senator Cameron says that we want to return to Work Choices—I

**Opposition senators interjecting**

The **ACTING DEPUTY PRESIDENT (Senator Edwards):** Order! Order!

**Senator NASH:** They have got nothing else. It is because the Labor Party have—

**Opposition senators interjecting**

The **ACTING DEPUTY PRESIDENT:** I remind the chamber that interjections are disorderly.

**Senator NASH:** As to the fact that Senator Cameron says that the coalition wants to return to Work Choices: absolute rubbish! That is all you can do. No wonder the Australian people did not want to vote for you, because all you had was a scare campaign that was based on nothing, and the Australian people know it and they know it was because you had nothing to offer them. As to the Leader of the Opposition in the Senate saying in here earlier that this process is a stunt: the very fact that this process has been spoken about by the leader, Senator Abetz, saying that we would be bringing this legislation back in and trying to get it back into the chamber hardly means that it is a stunt. Even the Prime Minister said, as recently as the last couple of days, that we were going to get the tough cop back on the beat in relation to the ABCC.

Do you know why we are doing this today? Because the Australian people expect us to do it. They are fed up. They are fed up with the environment in the construction industry. Why on earth would Labor and the Greens refer this to a committee? Labor have already said that they are going to oppose it. Why are they bothering wasting the time? The people of this nation expect us to have a proper process that will have oversight over the construction industry.

Isn't it interesting—and perhaps those on the other side have not availed themselves of some facts around the ABCC; I am sure they do not want to hear this—that, in the five years before 2005, the dispute rate in the construction sector was five times the all-industries average? From 2005 to 2012, the period of operation of the ABCC, the rate of disputes in the construction sector dropped to twice the all-industries average. Under the current regulator, Fair Work Building and Construction, the dispute rate has increased to four times the all-industries figure. Why on earth wouldn't we expect to see this legislation in here today so that we can fix the issues?

We have seen the Thomson trial, the slush fund, the whistleblowers—the coalition is acting absolutely appropriately in trying to bring this legislation in here today, to do the right thing by the Australian people, because it is not just the coalition that want to see this legislation in here; it is the people of Australia who expect us to put in place proper processes for oversight.
so we can get rid of all of those activities, all of those things that Senator Abetz mentioned earlier, that are untenable to see in the operation of the industry.

This is an opportunity for Labor and the Greens to reconsider. They can, right here, right now, reconsider and allow this legislation to come in—and, indeed, change their view, because they are so hung up on hanging on to the past. We have seen Senator Wong in here saying that it is a stunt. They have absolutely nothing to offer the Australian people. It is about time they respected the views of the people of Australia when they said on 7 September: 'We want the coalition to govern this nation. We have heard what they are saying. We have heard what their policies are. We have heard where the coalition wants to take this nation. And we say yes.' It is about time that those on the other side of the chamber respected that. This legislation should come in today and it should be passed.

The President: The question is that the motion moved by Senator Abetz be agreed to.
The Senate divided [13:42]
(The President—the Hon. John Hogg)

Ayes ...................... 31
Noes ...................... 36
Majority .............. 5

AYES
Abetz, E
Bernardi, C
Boswell, RLD
Cash, MC
Cormann, M
Eggleston, A
Ferravanti-Wells, C
Johnston, D
Macdonald, ID
Mason, B
Nash, F
Payne, MA
Ruston, A
Seselja, Z
Williams, JR

NOES
Bilyk, CL (teller)
Brown, CL
Collins, JMA
Dastyari, s
Faulkner, J
Gallacher, AM
Lines, S
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Peris, N

Bishop, TM
Cameron, DN
Conroy, SM
Di Natale, R
Furner, ML
Hogg, JJ
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
O'Neil, DM
Polley, H
Question negatived.

**BILLS**

**Climate Change Authority (Abolition) Bill 2013**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

At the end of the motion, add: "but the Senate expresses concern over the impact of the abolition of the Climate Change Authority on the provision of independent advice to Government and the public on carbon pollution reduction targets and actions".

**Senator GALLACHER** (South Australia) (13:45): I would like to make some remarks on the Climate Change Authority (Abolition) Bill 2013. I want to open my remarks with a quote by Dr Frank Jotzo, Director of the Centre for Climate Economics and Policy at the Australian National University—and apologies, Dr Jotzo, if I am pronouncing your last name incorrectly:

Axing the Authority would be the most severe blow to Australia’s climate change policy institutions. Even if the carbon price was repealed, the authority has an important role. It has to advise on Australia’s national emissions target, and provide deep and critical analysis on any policy aimed at cutting emissions.

There we have it. This is an independent authority, established by the Climate Change Authority Act 2011, which the coalition wants to abolish. It is trying to do so in a package of legislation to remove a carbon price. Removing a carbon price and abolishing the Climate Change Authority are separate things and should be dealt with as such. This should not be hidden away in other legislation, as the coalition has tried to do.

Australian voters do not realise what beneficial and effective climate change tools they will lose in this package. As I have said, the CCA is an independent body that provides expert advice on climate change policies. It provides expert advice based on facts. It presents them—and it is up to the government how they act on the information provided. The CCA is an essential tool in properly dealing with climate change. Australia will be left behind the rest of the world if we do not deal with climate change appropriately.
Senator Boswell: Come on, the rest of the world is going nowhere.

Senator GALLACHER: I will go with you, Bozzie, in a minute. The rest of the world is taking action. If we do not do anything we will be left behind in environmental terms and Australian jobs will be affected. It makes no sense to get rid of the Clean Energy Finance Corporation and it makes no sense to get rid of the Climate Change Authority if we are serious about climate change. I understand the other side is not serious about climate change. To abolish the Climate Change Authority will send the message that this government is not serious about reaching its target to reduce carbon emissions by five per cent by 2020. It also will increase the opinion of the rest of the world that this government is not serious about climate change. There is no science minister and there was no minister representing Australia at the Warsaw climate talks. The coalition want to abolish the CEFC and the CCA and they have a leader who has called climate science ‘crap’.

An authority like the CCA is essential because it is important that targets and policies recommended to deal with climate change come from agencies that are independent of government. If they are not independent of government, there will be a cloud of doubt over what is recommended. There is no transparency. This ensures policies are created not by the politics but by the facts. We have seen the coalition cut the Climate Commission in their haste to keep their pre-election promise. Getting rid of the carbon tax is one thing; getting rid of independent bodies that are making a positive contribution to the fight against climate change is quite another. You can have the Clean Energy Finance Corporation and the Climate Change Authority and still get rid of a price on carbon. In fact, you need independent bodies such as these. We can repeal the carbon tax but still keep the authority that is essential to tackling climate change.

The coalition’s biggest mistake is they are bundling all of these issues into one basket when they need to be dealt with separately. They are threatening to throw away a lot more than most people realise. There seems to be no thought or care about what is going to disappear. Effective tools are being thrown away in their haste.

In the UK they have the Committee on Climate Change, which is very similar to the Climate Change Authority. It was established in 2008. The UK Conservative government has not cut it; it is still there. It acts in a very similar way to the Climate Change Authority. If the coalition were to move the role of the CCA to the environment department, they would be removing all transparency and scrutiny and this would bring uncertainty about information. It would take away expert advice. It would take away an authority independent of government. It would add uncertainty. On a topic as important as climate change none of this makes a lot of sense.

This is bringing the politics back into it and making the facts insignificant. Australians do want to know that they are being given factual information on climate change. They want to know that action is being taken based on expert advice. There should be facts over politics in this argument for an independent authority, and that is what the CCA brings.

I accept that those on the other side have a view about climate change, the carbon tax and the like. I accept that they believe they have a strong mandate with respect to repealing the carbon tax. What I do not understand is that they do not look at the money of the reinsurance industry. Swiss Re is probably the largest reinsurer in the world. It is their task to take the insurance sold to households in Australia and the US and Europe and reinsure that risk. This
is a company that, at the request of 722 investors representing US$87 trillion in assets, took part in the Carbon Disclosure Project's investor survey on climate change, a program designed to increase awareness of how to achieve efficiencies, realise monetary savings and capitalise on commercial opportunities from the management of energy, carbon emissions and climate change. This is a global insurer who says in its mission statement that 'climate change is in its DNA'. These are the people who manage the risk in a global sense, who have been saying there is an increased prevalence of natural disasters, who have been saying there is an increased number of hurricanes to hit the United States, and they reinsure those risks. These people have actually been working at this quite diligently for many years.

Look at Munich Re. Munich Re has been active around climate change and acquiring knowledge since 1973. It has devoted intense work re the issue of climate change and the consequences of global warming. So do not worry about the scientists, do not worry about the vast number of Australians who are concerned about climate change—I honestly am asked repeatedly whether I am personally going to fold on climate change. I say I am not, no. No, Labor is going to continue to resist this attempt to repeal the carbon tax. It was a then-opposition tactic used to win government. It disparaged the science, it disparaged the vast number of views in the Australian community, and it was very successful. I have to say the 'no carbon tax' line was a great opposition tactic, but we in this place have a greater responsibility to Australian voters and Australian citizens, to our children and grandchildren, than simply waving this bill through.

The money people of the world, the people who have been reinsuring risk for centuries, think that climate change is real, climate change is here—'it's in our DNA'—and they underwrite the risks which have been clearly identified. Natural disasters cost the global insurance industry around US$77 billion in 2012. These are the people who underwrite that risk—it is all about money: it is about maths, it is about actuaries, it is about economics—and they have no zealotry in them; it is all about facts and figures. But, interestingly, it is not only about money and facts and figures. The human toll, according to Swiss Re, of natural catastrophes and man-made disasters in 2012 cost 14,000 lives.

What we are talking about here is something that has not been portrayed by this current government. There is no leadership by this Prime Minister on this matter, and that is really interesting. I accept that you went there and you rattled that can on carbon tax—

 Senator Back: It won the election.

 Senator GALLACHER: and won the election on it. I do not know if voters have ever actually voted for a tax, so I do not suppose that the dropping of 'carbon' from in front of 'tax' would have made much difference, but the reality is the scientists are all saying that there is an issue. They are staking their reputations on it. Labor put up a couple of institutions, the CCA and the CFC, which would provide independent, rational advice—the government did not have to abide by the advice, it just had to be responded to—and ensuring that they had independence in what we are telling voters. And when you do go down the reinsurance side of climate change—the money men and women, those people who run these vast global conglomerates underwriting insurance re climate change and national disaster—there is no dispute there. You do not get any dispute there. Swiss Re says climate change and the management of those efficiencies arising from it is 'in their DNA'. They say that they underwrite 722 organisations representing $77 trillion worth of assets.
This issue has been distorted for short-term political gain. It has been disparaging to a vast number of conscientious scientists, and ignores the DNA of the Liberal Party to look where the money is. The money is saying that climate change is real, that natural disasters cost lots of money. And what nation should not take responsible action, including taking responsible, independent advice from the CCA, to mitigate the effects of that not only on the Australian population but on the Australian economy? It defies common sense that this government take a low-ball strategy to win an election and ignore the national imperatives of climate change and the effect on the economy. If they go their way—and I have had a look at their policy—they will be paying polluters not to pollute. Forget all the other arguments. All economists will tell you a price is what changes behaviour—a price on speeding stops people speeding and a price on pollution will stop people polluting—not paying people to pollute a little bit more slowly, which is what appears to be the guts of the Abbott government's policy on climate change.

I would like to simply restate that they need to have a good look at their policy, look at where the financial institutions of the world, in terms of reinsurance—

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Automotive Industry

Senator KIM CARR (Victoria) (14:00): My question is to Senator Abetz, representing the Prime Minister. I refer to the Prime Minister's statement as opposition leader in 2011:

I think any government which makes it harder to manufacture cars is making it harder for us to continue to be a first world economy …

Isn't it the case that removing $500 million from the Automotive Transformation Scheme makes it harder to manufacture cars in Australia? Isn't it the case that the Prime Minister's 14 December point-blank refusal to offer any financial assistance to Toyota makes it harder to manufacture cars in Australia? Isn't it the case that this government has thrown the automotive industry and Australia's advanced manufacturing to the scrap heap?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): The short answer to the question is, absolutely, no. This is a question from a minister who presided over a job loss in the manufacturing sector every 19 minutes that he was the minister, over that six-year period.

Opposition senators interjecting—

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

Senator ABETZ: Given that the former minister was willing to provide me with a quote, allow me to respond that 'international company executives were left wondering just what they had to do to get a consistent government policy commitment in Australia'. Do you know what he was referring to? His very own government. Senator Carr was reflecting on his very own government. So we can trade quotes across the chamber, and at the end of the day—

Opposition senators interjecting—

The PRESIDENT: Order, on my left! Senator Abetz is entitled to be heard in silence.
Senator ABETZ: But at the end of the day what we have is a tragic situation where many Australian workers have, regrettably, lost their jobs—

Senator Wong: On your watch.

Senator ABETZ: Senator Wong interjects saying that happened on our watch. So you are responsible for Mitsubishi and Ford? Well done! Can I say I never engaged in that immature activity when you were in government.

Senator Kim Carr interjecting—

Senator ABETZ: I did not at all.

The PRESIDENT: Senator Carr, interjections are disorderly. Senator Abetz is entitled to be heard in silence.

Senator ABETZ: What it shows is that Senator Carr will distort the truth for his tawdry political exercise today. Many workers face an uncertain time. We are working with them, with the unions and with the companies to seek to ensure that they do have a future as individuals. The circumstances are difficult but we will work with them to ensure the best possible outcome, in circumstances where Toyota said that no matter what we did they would leave—as Holden did, and as Ford and Mitsubishi did with a Labor government. (Time expired)

Senator KIM CARR (Victoria) (14:03): Mr President, I ask a supplementary question. I ask the minister: will the government now recognise that its decision to force General Motors Holden out of Australia, with the consequential effect on the component manufacturing, had a direct and material effect on Nagoya and led to Toyota's decision not to build the new generation Camrys in Australia?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:03): Once again, proof is never a relevant consideration for this particular former minister. What a shameful thing to say—that it was this government that forced Holden out of Australia, when we all know that Holden itself has repudiated that false assertion by Senator Carr. So, having been repudiated by Holden, Senator Carr still peddles the dishonest lines. Can I suggest to him: we do have difficult circumstances, and occasions like this require people to elevate themselves out of the political gutter and consider the future of these workers—workers whose future is now in doubt, and with whom we want to work to ensure a good future.

Opposition senators interjecting—

Senator ABETZ: Mr President, you can hear those opposite—they do not want to hear the truth.

The PRESIDENT: Order, on my left! Interjections are disorderly and Senator Abetz, as I have said already, is entitled to be heard in silence.

Senator ABETZ: Removing the carbon tax would be another great boost to manufacturing.

Senator KIM CARR (Victoria) (14:05): Mr President, I ask a further supplementary question. I ask the minister: can you confirm that the Prime Minister has once again today sought to blame the automotive workers in his address to the party room this morning? Is it
yet another example of baseless accusations being made which are clearly refuted by the company's own statements?

Honourable senators interjecting—

The PRESIDENT: Order, on both sides!

Senator ABETZ: I will not often indicate what has happened in the party room, but can I indicate, absolutely and utterly, that no such words were spoken, which again shows that Senator Carr will peddle any untruth to try to pursue his political agenda. What I can tell him is that a former Prime Minister, Paul Keating, blamed the union bosses of the AMWU for the loss of 100,000 manufacturing jobs in Australia. That was not a Liberal Prime Minister but a Labor Prime Minister blaming the AMWU for the loss of 100,000 jobs in the manufacturing sector. And, regrettably, the successors in the AMWU, represented by the likes of Senator Cameron and, before him, Senator George Campbell, have assisted in circumstances that make things very difficult. But, having said that, we know what Mr Keating said about the—

(Time expired)

DISTINGUISHED VISITORS

The PRESIDENT (14:06): Order! Before I call Senator Milne, I draw to the attention of honourable senators the presence in the chamber of senators from the National Congress of Palau, Senator Senior and Senator Inabo. On behalf of all senators, I wish you a warm welcome to Australia and in particular to the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Republic of Korea: Free Trade Agreement

Senator MILNE (Tasmania—Leader of the Australian Greens) (14:06): My question is to the minister representing the Prime Minister, Senator Abetz. I ask: is the minister aware that on 5 December the Prime Minister, Tony Abbott, said of the recent South Korean free trade agreement:

The benefits of the FTA start flowing immediately and will be long-lasting.

Is he also aware that yesterday, Toyota cited increased competitiveness due to current and future free trade agreements as one of the reasons it is no longer viable to continue building cars in Australia? So, I ask: given Toyota's statements, will the government now admit that it is not benefits but costs which have started to flow from the Korean free trade agreement? And will they now put their current free trade agenda on hold so as not to further harm manufacturing in Australia?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:07): For Senator Milne to have read down to the very bottom of the Toyota media release, indicating that free trade agreements were an issue, means that she must have read the first two points that Toyota made: number one was the high Australian dollar and secondly, the cost of manufacturing. Cost of manufacturing? Let me think—

Senator Cormann: Carbon tax!
**Senator ABETZ:** Oh, carbon tax! Carbon tax, rated as the number two by Toyota and glossed over by Senator Milne in a complete and utter disregard as to what her extreme Green policies that she inflicted on the Labor Party—and they went along with—have done to the Australian workforce in the manufacturing sector.

Let there be no doubt that the carbon tax is a job destroyer, and in not so many words that is exactly what Toyota has said—

**Senator Whish-Wilson:** Mr President I rise on a point of order, on relevance. Senator Abetz has not even attempted to answer the question on specific comments relating to free trade and risks to free trade agreements in Toyota's media release.

**The PRESIDENT:** There is no point of order. Senator Abetz is addressing the question.

**Senator ABETZ:** What I would say to Senator Milne is: do not misquote Toyota when they have put it fair and square on the high Australian dollar—the first issue raised in their media release—and the second issue was the cost of manufacturing and, as I was able to point out in a Sydney Institute speech recently, a change to their workplace agreement which would not see one extra red cent spent by the company and the workers not taking one red cent less home—in other words, wages being maintained—where they could have put an extra 2,000 working days onto the factory floor each and every year. Now, that might have done something to the cost of manufacturing. But when that was tried, the union intervened to stop the workers having a say on whether or not they could vote for the protection of their own jobs.

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (14:10): Mr President, I ask a supplementary question. I am not surprised that the minister could not respond to the free trade agreement, so I ask him: is he aware that under the heading of 'Sensitive sectors' the DFAT fact sheet on the Korean free trade agreement reads:

> It is true that some sectors may face increased competition from imports of Korean products and services, such as motor vehicles, automotive parts, …

Since the government knew that, why did it proceed with the Korean free trade agreement knowing that it would have an automatic and immediate adverse impact on the Australian auto sector? *(Time expired)*

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:11): Again, the Greens leader needs to read the whole document. If she would have read the Korean free trade agreement proposal, Korea currently has an eight per cent tariff on Australian automotive parts, and Korea is Australia's largest market for gearboxes and second-largest market for car engines. So removing the eight per cent tariff that Korea had on our automotive production would have actually helped because the tariff we had in Australia was not eight per cent, it was five per cent.

That shows the sorts of benefits that could have flowed, and hopefully which will flow, to the Australian manufacturing sector—besides, might I add, all the primary sectors which will do so exceptionally well by the removal, for example, of the 300 per cent tariff on potatoes. How good will that be for our state? *(Time expired)*
Senator MILNE (Tasmania—Leader of the Australian Greens) (14:12): Mr President, I ask a further supplementary question. Apart from misrepresenting DFAT, clearly, will Senator Abetz now say—

The PRESIDENT: Order! You can ask the question but it is not time to make a statement on the answer that has been given. That is after question time.

Senator MILNE: Does the minister stand by the Prime Minister's claim that independent modelling shows the free trade agreement with Korea would be worth $5 billion between 2015 and 2030, and boost the economy by around $650 million annually after 15 years? If so, when is the government going to release the independent modelling on which this is based, or has the Prime Minister oversold the case? (Time expired)

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:13): Mr President, as I understand it, only one question was asked before time ran out and the answer to that question is absolutely yes. I do stand by the Prime Minister's statement.

Building and Construction Industry

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (14:13): My question is to the Leader of the Government in the Senate and Minister for Employment, Senator Abetz. I ask the minister: what is the government doing to uphold the rule of law in the construction industry and to tackle infiltration by criminal elements in that industry?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:14): The government is determined to reintroduce the Australian Building and Construction Commission, which has been delayed by yet another Senate tactic by the Labor-Greens alliance.

Restoration of the ABCC is absolutely critical to address the problems of corruption and standover tactics which have now been revealed, chapter and verse, in the gush of revelations by the ABC and Fairfax Media and whistleblowers.

I am reminded of a photograph, which I table, of a bikie gang sergeant-at-arms marching in the infamous anti-Grocon rally in Melbourne wearing his CFMEU jacket over his Comanchero t-shirt. The person he was walking next to in this picture was the Victorian assistant secretary of the CFMEU. That was the dispute where police officers were bashed, and workers at the site—CFMEU members—took out an advertisement against their own union bosses, seeking protection. And Mr Shorten? Deathly silent. Instead of intervening to condemn, he was silent. When the Victorian CFMEU and the Comancheros were making house visits to builders, Mr Shorten was again completely silent. Even worse, the next thing Mr Shorten did as minister for workplace relations was to legislate to expand the right of entry of these types of people onto construction sites.

The best way to deal with thuggery, intimidation and violence on building sites is by re-establishing the Australian Building and Construction Commission, a matter for which we have a very clear mandate from the Australian people.

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (14:16): Mr President, I ask a supplementary question. Is the minister aware of any
alternative policies to deal with the presence of outlaw bikie gangs on building sites in Australia?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:16): Funny that Senator Back should ask! I noted with interest a report in The Daily Telegraph yesterday which stated:

… Labor leader Bill Shorten has demanded that union leaders outlaw the entry of anyone wearing bikie colours or badges into building and construction site across the country. In other words, he was promoting a mufti day for the bikies! He does not want to change the people going into the sites, just what they wear. He does not want to change their behaviour; he just wants to change what they wear so they cannot be identified with outlawed bikie gangs. This is Bill Shorten's, the great Labor leader's, answer to corruption and thuggery and intimidation in workplaces and on construction sites: 'Change your clothes. Wear a different jacket and everything will be all right.' What we need is a change of culture. We need a change of personality. We need a change of— (Time expired)

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (14:17): Mr President, I ask a further supplementary question. Will the minister inform the Senate how the establishment of a royal commission will shine a light on corrupt behaviour in those affected unions?

Honourable senators interjecting—

The PRESIDENT: Order! Order, on both sides!

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:18): The government is on the side of honest trade-union members who have been let down by dodgy union bosses. We got an interjection from the other side saying that nobody seems to know what a royal commission would do. Funny, that. Your former Labor Attorney-General, Robert McClelland, knew exactly what it would do. Former AMWU official Ian Cambridge, who is now a Fair Work Commissioner, knows exactly what a royal commission would do. Kathy Jackson, the former secretary of the Health Services Union, knows exactly what a royal commission would do—and so the list goes on. Steven Purvinas of the engineers union knows exactly what a royal commission would do. The CEPU person that blew the whistle knows what a royal commission would do. But those over there who have been engaged in the union movement will not see and attend to that which needs to be cut out of the union movement to protect those honest union members who want to see the reputation of the trade union movement flourish and not diminished by the sorts of rackets the Labor Party— (Time expired)

Automotive Industry

Senator JACINTA COLLINS (Victoria) (14:19): My question is to the Minister for Employment, Senator Abetz. I refer to the minister's declaration 27 January that he had decided to intervene regarding proposed variations of Toyota workers' conditions. How does the minister reconcile his blatant attempt to blame workers' wages and entitlements with the clear statement from Toyota in support of their workforce? Toyota said:
While we have been undertaking the enormous task of transforming our business during the past two years, our people have joined us on the same journey, which makes it even more difficult to announce this decision.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:20): I fully agree with the vast majority of Senator Collins's question. The Toyota management and their workforce did work together; they did go on a journey together. In fact, the Toyota management wanted to put a proposition to their workforce, and so lacking in confidence were the AMWU union bosses that they sought court intervention to say that management should not be allowed to ask workers whether they wanted to vote for a proposition or not. My intervention was simply to determine whether or not—

Senator Jacinta Collins: They didn't ask you to intervene.

Senator ABETZ: Senator Collins interjects, saying, 'Toyota didn't ask you to intervene.' You know what? I do not do the bidding of the union movement or the employers. I act in the national interest.

Opposition senators interjecting—

Senator ABETZ: I know that is a foreign concept to those opposite, but we act in the national interest. To make it clear, we were not asked by Toyota to intervene. We intervene in the national interest, when we believe that there are matters to be determined. So we did not enter that debate in a partisan manner, to say that that which Toyota sought to put to its workforce was either right or wrong, good, bad or indifferent. All we were saying is the legislation does actually allow, and the enterprise agreement does actually allow, the proposition to be put to the workers. Why, Senator Collins, are you and the Labor Party and the union bosses so scared of giving workers a voice and a decision in genuine industrial democracies?

Senator Jacinta Collins: I thought this was questions to you.

Senator ABETZ: You did not want the workers to have a voice and, as a result, amongst all the other things, they will now no longer get that opportunity. (Time expired)

Senator JACINTA COLLINS (Victoria) (14:22): Mr President, at last I have an opportunity to ask a supplementary question. I should make it clear: I do not have the opportunity to respond to questions from the minister.

The PRESIDENT: Order! This is not a time to debate the issue. You need to ask the question.

Senator JACINTA COLLINS: Will the government recognise that it is in fact their decision to rip $500 million in assistance out of the industry and not workers who are to blame for this disastrous decision?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:22): It appears as though the lack of consideration for the truth in these matters, as exemplified from Senator Carr, has moved down the road to Senator Collins. The simple fact is that Toyota said, like Holden did, like Ford did and like Mitsubishi did: 'No matter what the government might put up, we will not be able to continue manufacturing.' Indeed, in March 2012, Ms Gillard announced $215 million for Holden, saying that it would secure its future in Australia until
2022. But, within months, 670 jobs were lost. So the Labor Party promise, the Labor Party guarantee, stood for absolutely nothing.

Senator Moore: Mr President, I rise on a point of order that goes to relevance. I have given the minister sufficient time. The particular question was around the $500 million withdrawal. That has not been referred to in the answer.

The PRESIDENT: There is no point of order at this stage. The minister is answering the question and the minister still has six seconds.

Senator ABETZ: I hope there is another supplementary. Stefan Jacoby, Asia-Pacific General Manager of General Motors, completely and utterly rejects— *(Time expired)*

Senator JACINTA COLLINS (Victoria) (14:24): Mr President, my second supplementary question is: when will the government stop using workers to distract from the real issues facing manufacturing in this country, like the high dollar, which he referred to before, but also the lack of government support?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:24): Mr President, just very quickly: Mr Yasuda of Toyota did say:

> When you go to the factory, even with my own eyes, I can see there are so many things we can improve.

That is what Toyota themselves said. In relation to Holden, Stefan Jacoby said:

> ... I initiated this decision because I am the leader of the markets and … the decision was driven purely by business rationale and not by any direction this government or any future government would give for their auto industry in Australia.

This completely rejects your false assertion. Why do you continue to peddle these false assertions in the light of what General Motors say and what Toyota say. It is absolutely clear, and yet you play your tawdry political games.

Opposition senators interjecting—

Senator ABETZ: Can I assure the Australian people that, despite the interjections, we will continue to work with workers to ensure they get the best possible outcome. *(Time expired)*

Asylum Seekers

Senator EGGLESTON (Western Australia) (14:25): My question is to the Assistant Minister for the Immigration and Border Protection, Senator Cash. Can the minister advise the Senate what the government has done to regain control of Australia's borders and restore integrity into our migration program?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:26): I thank Senator Eggleston for his question. Given that it is the first question time for the new parliament, I am pleased to advise the Senate that under the Abbott government there has now been a period of 50 days in which there has been no successful people-smuggling venture to Australia by boat.

Honourable senators interjecting—

Senator CASH: If I could just repeat that for the benefit of those on the other side to hear me—
The PRESIDENT: Order! Senator Cash, you are entitled to be heard in silence on both sides.

Senator CASH: If I could just repeat that for the benefit of the Senate: there has been no successful people-smuggling venture to Australia by boat for 50 days now. One can only ask: when was the last time such a statement was able to be made? Because it clearly was not made under the government or the governments—three of them, in fact—that preceded this one. This government went to the federal election last year with a very clear commitment to the Australian people. The commitment was that, if we were elected to govern, on assuming office we would introduce a strong suite of border protection policies—and that is exactly what this government has done. Despite the protestations of those opposite, despite the efforts of those opposite, despite the former government teaming up yet again with its alliance partner in the Greens to do everything in their power to stop this government from fulfilling its commitment to the Australian people, they have failed to deter us. This government is resolute in its commitment to the Australian people, and that resolution is shown by the policies that we have introduced. The fact is that, despite the actions of those opposite, we continue to stop the boats. (Time expired)

Senator EGGLESTON (Western Australia) (14:28): Mr President, I ask a supplementary question. Can the minister inform the Senate what the subsequent effect on illegal boat arrivals has been?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:28): I thank Senator Eggleston for his supplementary question. The effect of the policies that this government has introduced has been to do exactly what we said we would do at the federal election in 2013, and that was to do what three previous Labor governments had failed to do: stop the boats. In January of this year alone, there have been no boat arrivals in Australia. Compare that to January 2013: 14 boats, 798 people; 2012: five boats, 301 people; January 2011: three boats, 218 people; January 2010: 11 boats, 615 people. The subsequent effect of our policies is that they are working. (Time expired)

Senator EGGLESTON (Western Australia) (14:29): Mr President, I ask a second supplementary question. Can the minister advise the Senate of any threats to the continued success of the government's border protection policies?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:30): The most serious threat we had was borne out approximately two weeks ago with the performance of Senator Hanson-Young in a public interest immunity inquiry held by the legal and constitutional affairs committee. Senator Hanson-Young based a line of questioning to the CEO of Customs and Border Protection on the fact that she actually believed that the Channel Nine show Sea Patrol—

Senator Ludlam: Mr President, on a point of order: I recognise that the senator has been given a Dorothy Dixer by someone on her own side. If you cannot even remain relevant to that, I would ask you to cease wasting the Senate's time.

The PRESIDENT: Order! There is no point of order.
Senator CASH: There is a clear threat to border protection when you have the shadow spokesperson for border protection, in Senator Hanson-Young, basing a very, very serious line of questioning—

Senator Milne: Mr President, on a point of order: the minister is deliberately misrepresenting Senator Hanson-Young. That suggestion did not come from Senator Hanson-Young.

The PRESIDENT: That is a debating point, not a point of order. That is something that can be taken up after question time in taking note of answers.

Senator CASH: I am more than happy to forward the YouTube video to the Leader of the Australian Greens—that is, of course, unless Senator Wright, who was chairing the committee, has not yet shared it with her. You may want to compare the YouTube video to what now apparently appears in Hansard, because I am informed there may be a slightly different reflection—(Time expired)

National Security

Senator LUDLAM (Western Australia) (14:32): My question is to the Attorney-General. I refer to the more than 6,000 organisations that have joined a global internet blackout against indiscriminate government surveillance. They are joining their voices with business, civil society organisations and even senior Republican and Democratic congress men and women to demand reforms to the dragnet surveillance conducted by the US NSA. Does this government and, in particular, the Attorney-General recognise the legitimate concerns of Australians about indiscriminate surveillance, or does he honestly believe there are no reforms necessary here 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) (14:33): Thank you very much to Senator Ludlam for that question. I note that Senator Ludlam has today published on the Guardian website an article in praise of the American traitor Edward Snowden, displaying a photograph of a bus bearing the signage 'Thank you, Edward Snowden' and under the headline 'Today is the day we fight back'. Senator Ludlam, you celebrate and make a hero of this man who, through his criminal dishonesty and his treachery to his country, has put lives, including Australian lives, at risk. I wonder how you can sit in this parliament and hold your head up high when you celebrate a man who, through criminal conduct and treachery, has put Australian lives at risk.

You should know, because you are your party's spokesman on this area, that the Australian intelligence agencies operate under a strong framework of supervision and under very strong statutory obligations and accountability obligations. That framework includes being responsible to a parliamentary committee of which you yourself are a member—that is, the Senate Standing Committee on Foreign Affairs Defence and Trade—and the Senate Standing Committee on Legal and Constitutional Affairs. They are also responsible to the Parliamentary Joint Committee on Intelligence and Security, an independent statutory officer; and they are, as I said a moment ago, under a framework of—(Time expired)

Senator LUDLAM (Western Australia) (14:35): What a chilling response. I thank Senator Brandis for the bluntness of his answer. Senator Brandis, are you aware of, and have you or
your office evaluated, any of the proposals for serious law reform put to President Obama in the case of indiscriminate surveillance by the NSA, and does the Attorney believe that any of those proposals could be relevant here 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) (14:36): I will come to your question in a second, Senator, but I will if I may just finish what I was saying in answer to your primary question. The operation of the Australian intelligence agencies is undergirded by strong statutory accountability requirements and oversight.

Senator Ludlam: Mr President, on a point of relevance: the Attorney has just opened his answer by explaining that it will not be relevant to the question I have just asked. Can we just draw your attention to the question I just put to you, please?

The PRESIDENT: The minister needs to address the question. The minister still has 48 seconds left.

Senator BRANDIS: I just wanted to complete my answer to your first question, Senator Ludlam; that is all. But to come directly to your first supplementary question: yes, I have studied President Obama’s remarks carefully; and Australian governments, of both sides of this aisle, are always alert to ensure that the statutory framework which undergirds and provides for the accountability mechanism of our intelligence agencies is as appropriate and relevant as possible.

Nobody says that the laws should never be reformed—they should always be kept under review. There actually is an independent advisor on terrorism laws whose remit is broad enough to extend to— (time expired)

Senator LUDLAM (Western Australia) (14:37): I am aware of that, Senator Brandis: we helped establish it. Will the government commit—

Honourable senators interjecting—

The PRESIDENT: Order! Just ask the question.

Senator LUDLAM: We have hit a bit of a nerve, haven’t we!

An honourable senator interjecting—

Senator LUDLAM: Senator Faulkner is indeed owed some credit for that. Can the Attorney tell us whether the government would commit to amendments or reforms to the Five Eyes agreement on acceptable limits to data collection and storage so that the data on Australians is kept under the control of Australians?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:38): The Australian government is certainly not going to be commenting publicly on what discussions it may have with other nations in relation to the operation or the scope of intelligence services.

SPC Ardmona

Senator CAMERON (New South Wales) (14:38): My question is to be Minister for Finance, Senator Cormann. I refer the minister to his press conference on 4 February where he said the government ‘had all the facts before us’ in relation to SPC Ardmona. I also refer him to the Prime Minister’s false claims, that have since been corrected by SPC, that SPC
employees enjoy a range of allowances, loadings and working conditions. Was it these false claims which were the so-called facts that led the government to reject SPC’s request for assistance?

Senator CORMANN (Western Australia—Minister for Finance) (14:39): I thank Senator Cameron for that question. Let me just say at the outset that the government stands by all of the claims that the Prime Minister and other ministers have made in relation to these matters. None of the claims were false whatsoever.

Let me just make a broader point to the chamber. What was before the government was a request from a business owned by Coca-Cola Amatil, a business with a $9 billion market capitalisation and which made an after-tax profit of more than $200 million in the first six months of this financial year. It asked the Australian government to make a grant in support of a commercial investment, using taxpayers’ money for that purpose. We had a company which had the cash to make its own investment decisions, which had the wherewithal to make the investment decisions it thought were necessary in pursuit of its commercial objectives, asking for money from the government which, as a result of the mismanagement of the previous Labor administration, actually does not have the cash. We have inherited a budget from the Labor Party which is in a complete mess. We have inherited $123 billion worth of cumulative deficits.

Senator Wong interjecting—

Senator Brandis: Mr President! Senator Wong should withdraw that unparliamentary remark.

The PRESIDENT: Order! Senator Wong, you will need to withdraw that.

Senator Wong: I am simply reprising the member for Murray, Senator—

The PRESIDENT: No, it was—

Senator Wong: I withdraw.

The PRESIDENT: And it would help if there were silence on both sides. Senator Cormann, continue.

Senator CORMANN: Thank you very much, Mr President. The government did have all of the facts in front of it. In all of the circumstances before us, we decided that it was not appropriate to provide taxpayers’ money in support of this commercial investment. It is not the job of the taxpayer to provide gifts to very profitable companies like Coca-Cola Amatil to help them achieve a higher return than they otherwise would. It is not the job of the Australian taxpayer. This government has put a clear line in the sand. The previous government spent money willy-nilly. They did not treat taxpayers’ money with respect. This government does it differently. (Time expired)

Senator CAMERON (New South Wales) (14:42): No wonder the Nationals have got their heads buried in their hands!

The PRESIDENT: Order! Ask the question.

Senator CAMERON: Was the government made aware of the fact that SPC Ardmona and its employees had negotiated major changes to working conditions, a fact which was confirmed in the statement by SPC Ardmona last week? If the government was not made aware of this fact, can the minister advise what steps have been taken to correct the factual
basis on which the government took the decision? And will the government reverse this
decision and save the jobs of workers— (Time expired)

Senator CORMANN (Western Australia—Minister for Finance) (14:42): Senator
Cameron clearly did not listen to a word of my answer—or he is just reading out the question
that was provided to him by the tactics committee without changing his supplementary
question. Let me just say it again: we had all of the facts in front of us and we made an
informed decision not to provide an ad hoc grant from the taxpayer to a company like Coca-
Cola Amatil. We made that decision—

Opposition senators interjecting—

The PRESIDENT: Order! Senator Cormann, resume your seat. If those on my left wish to
debate the issue, the time for that is after three o'clock. Senator Cormann, continue.

Senator CORMANN: Thank you very much, Mr President. We had before us a request
from a business owned by Coca-Cola Amatil with a $9 billion market capitalisation, with a
strong balance sheet, with all of the cash reserves required to make the investment in SPC
Ardmona if that is what they thought was the appropriate thing to do. The government made
an informed decision that it is not appropriate for the taxpayer to cross-
subsidise these sorts of
commercial investments by profitable private companies—and the government will not be
changing the decision that we made.

Senator CAMERON (New South Wales) (14:44): Given it is clear that either the facts
about SPC Ardmona were either not before government or it chose to ignore them, wasn't the
Liberal member for Murray correct in saying that the Prime Minister's attempt to scapegoat
workers at SPC Ardmona is 'just rubbish', 'a witch-hunt', 'a furphy', 'not the truth', 'a
distraction from the facts which would require some government action' and it is 'lying'?

Senator CORMANN (Western Australia—Minister for Finance) (14:44): Senator
Cameron is clearly not very agile on his feet, because he clearly does not have the capacity to
adjust his pre-drafted supplementary questions as the answers evolve to his previous
questions. For his benefit, let me say it again: the government made a very conscious decision
that it is not appropriate for the taxpayers to be asked to provide a gift to a profitable
company, like Coca-Cola Amatil, for them to make investments in businesses they own. It is a
matter for Coca-Cola Amatil to decide what investments they think are appropriate to make in
a business like SPC Ardmona. That is a very conscious decision we made.

Just imagine if every business across Australia considering commercial investments ended
up having a reasonable expectation that the taxpayers would help them reach their target for
the internal rate of return they are seeking. It is not appropriate and it is not the way this
government treats taxpayers' money. We will treat taxpayers' money with respect.

Indigenous Education

Senator BOYCE (Queensland) (14:46): My question is to the Minister for Indigenous
Affairs, Senator Scullion. Can the minister outline to the Senate the impact of the
government's Remote School Attendance Strategy in improving school attendance in remote
Indigenous communities?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of
The Nationals in the Senate) (14:46): I thank Senator Boyce for the question and I
acknowledge her long-standing interest in this area.
Getting children to school is the No. 1 priority for this government. I know that many of you around the chamber would have no disagreement with that. It is one of those areas where we are all in agreement. It is something that not only am I passionate about, but I think is one of the top priorities across the parliament.

School attendance is absolutely critical to closing the gap. In having a look at the closing the gap report, many of us who are close to it would acknowledge that there should be a bit of a muted celebration tomorrow. Sadly, we are not doing anywhere near as good as we should be doing in terms of closing the gap. I say that as a parliamentary statement rather than a political one.

First, we have to break something that has become a convention, and I suspect that over the last few decades it has increased in its intensity—namely, children themselves are deciding whether or not to go to school. Elders told me that just a few decades ago children did go to school and were well educated, but that has changed significantly. A 2013 COAG reform report tells us that there has been no improvement in the past five years, and in fact it has gone backwards. A child who attends school less than 80 per cent of the time has no chance of passing the curriculum. Last year, only 13 per cent of children in Aboriginal communities in the Northern Territory attended school to a sufficient extent to have a chance of attaining that.

I have therefore put the Remote School Attendance Strategy in place. We are employing 400 school-attendance officers, of which 250 are in place, and the remaining appointments are just around the corner. I would like to acknowledge the help from all the teachers, the local principals, the employment service providers and, particularly, our partners in the state and territory governments.

This is going to be a long, hard road. The initial indicators are a 13 per cent increase across the board. Without the cyclone at Palm Island it would have been— (Time expired)

Senator BOYCE (Queensland) (14:48): I have a supplementary question, Mr President. Can the minister tell us whether the government's Remote School Attendance Strategy has been well received within the Indigenous community?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:48): When this works well, there is no point in saying, 'Well done, Nige,' because it really does not have a lot to do with me. This is a community driven initiative. It uses employment from the communities; it has 100 per cent Aboriginal employment, and the supervisors are all from the communities. It has been community driven in those places where we have engaged with the cultural authority. I would like to commend the work and assistance of Dr Djiniyini Gondarra, who has made significant impacts and has even gone as far as to declare that parents' cultural responsibilities should extend to school attendance. We have had many conversations with other community leaders, and, again, I thank them for their assistance in all of these matters.

Hopefully this should change how we all approach this matter. It is about empowering local communities. It is about harnessing this task to a cultural authority. That is the only way we are going to get on top of it. (Time expired)
Senator BOYCE (Queensland) (14:49): I have a further supplementary question, Mr President. Can the minister advise the Senate about any other commentary regarding the strategy on school attendance?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:49): I again thank the senator for the question. It is well known that I seriously want to take a bipartisan approach to my whole portfolio and particularly to the issue of school attendance. I was pretty disappointed with Mr Shayne Neumann, who put out a media release on 20 December last year saying that this was simply a thought bubble and asking why I had not actually bothered to talk to communities about it. This initiative involved about three years of consultation. This is exactly what the community has asked for. So I recommend to Mr Neumann that he perhaps leave his cosy desk, wherever that is, and move in amongst the communities and ask their advice about how well they think we are pursuing this matter. I think their advice would be as firm as it has been to me that this is the way forward and it should be a central character of all the ways we move forward in this area.

Department of Health: Health Star Rating Website

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:50): My question is to the Assistant Minister for Health, Senator Nash. I refer to the Department of Health's Health Star Rating website, which was launched and subsequently removed last Wednesday. What role did the assistant minister and her chief of staff play in the removal of the website just hours after it was launched?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:51): I can indicate to the Senate that I did direct the department to remove the website. The website had been inadvertently placed. The food ministers' forum that met last December is working on the process for the front-of-pack labelling. The health star rating is not yet in place. It would have been extremely confusing for consumers had that website been allowed to remain in place. We on this side of the chamber are not going to allow consumers to be in a position whereby they are placed in a very confusing situation.

Also, a cost-benefit analysis was agreed to unanimously by the members of the forum last December, which would take place in a more expansive way than had previously been decided, to ensure that we would have the appropriate rigour in terms of the impact on industry, and indeed the full cost-benefit analysis. That process has not yet concluded.

Unlike those on the other side of the chamber, the government are going to be rigorous in terms of the policy process and in making sure that our decision-making is formed. We think it appropriate to wait for the results of that cost-benefit analysis before moving to any further steps in the process.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:52): Mr President, I asked the minister to answer one part of the question. She did not answer what role her chief of staff played in the removal of the website. I also ask a supplementary question. Have the minister and her chief of staff read and understood the ministerial and ministerial staff standards, which require that ministers and their staff act with integrity and in
a manner unaffected by considerations of private advantage or disadvantage? What action has the minister taken to comply with these standards?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:53): I can indicate to the Senate that, on my direction, my chief of staff had discussions with the department in relation to this matter and that we fully comply with the ministerial code of conduct.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:53): Mr President, I ask a further supplementary question. I refer the minister to Ms Tracey Ann Cain's role as the owner of a lobbying firm that represents Cadbury, Kraft and the Australian Beverages Council, all of which have a commercial interest in food-labelling policy and which have expressed opposition to healthy star ratings. Can she outline to the Senate her chief of staff's relationship with the lobbying firm and Ms Cain? When did her chief of staff declare this relationship to the minister, her department and the Prime Minister's office?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:54): It is quite unworthy of those on the other side to pursue this line of questioning. The Leader of the Opposition in the Senate knows full well that Ms Tracey Cain is the wife of my chief of staff, which she could have indicated to the chamber rather than ask me the question. There is no connection, whatsoever, between my chief of staff and the company Australian Public Affairs. My chief of staff has no connection with the food industry and is simply doing his job as my chief of staff. This side of the chamber—those in government—will continue to apply rigour to all our processes, including policy decisions and policy making, which those on the other side of the chamber clearly did not do when in government. We will continue to make sure that appropriate decisions are made in the best interests of the nation.

Bushfires

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:55): My question is to the Assistant Minister for Social Services, Senator Fifield. Can the minister provide the Senate with any information on the impact of the recent Victorian bushfires on older people living in aged-care facilities in affected areas?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:56): Bushfires, as we know, are an unfortunate fact of life in Australia, particularly at the moment in Victoria. While it is important that all Victorians are prepared, older Australians in aged-care facilities are particularly vulnerable at these times. The safety and wellbeing of aged-care recipients is of paramount importance. I am sure we all agree that we want to ensure that older Australians stay safe until danger has passed.

I am pleased to inform the Senate that no aged-care facilities in Victoria are currently under threat, as the fire situation has eased in Victoria, thanks in part to the efforts of firefighters and emergency services personnel, who, as we know, have worked around the clock. However, over recent days, two aged-care facilities in Victoria were evacuated. The first facility, the On Luck Chinese Nursing Home, in Donvale, was evacuated on Saturday. Twenty residents were relocated to be with their families until the threat had passed. All residents have now been returned safely to the facility. In the second facility, Wattle Glen...
Aged Care, in Wattle Glen, seven residents left the facility early on Sunday to stay with family. All residents have since returned safely, since the danger has passed. I can advise my South Australian colleagues that 12 inpatients and residents of the Laura campus multipurpose service were relocated yesterday due to fire threat near the town of Laura. Those residents and patients have been relocated to Port Pirie and Crystal Brook and will be returned when the threat passes.

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:57): Mr President, I ask a supplementary question. Can the minister inform the Senate: what assistance can the government provide to affected residents and facilities and emergency situations?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:58): While primary responsibility for responding to emergency events lies with state and local governments, the federal government does work very closely with state and territory health and emergency services management agencies to support service providers during emergency events like bushfires. Specifically, the Department of Social Services, if required, will consult local and state providers to identify suitable alternative places for residents in other facilities outside the area of threat and will also monitor the temporary care arrangements made for residents during and after a bushfire.

The safety of older Australians is of paramount importance at these times. It is a legislative requirement for approved providers to have emergency risk management plans and protocols in place to protect their residents during emergencies such as bushfires, and the Aged Care Quality Agency has a monitoring role.

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:59): Mr President, I ask a further supplementary question. Can the minister specifically advise the Senate how the Commonwealth government has been working with the Victorian state government to provide assistance to those Victorians affected by these bushfires?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:59): In emergencies such as bushfires, federal and Victorian agencies liaise closely together to ensure that communication is maintained and that there is collaboration to ensure that any residents who need to be relocated are found temporary accommodation until danger passes. In fact, it is not uncommon for Department of Social Services staff, when it is required, to be embedded at emergency headquarters hubs to make sure that there is seamless communication between Commonwealth and state authorities.

Sometimes residents—and this is by far the preferable outcome where it is appropriate—will stay with their families for the duration. On other occasions, it is necessary to find another aged care facility. Regardless, it is important that all three arms of government work together to ensure that this vulnerable group are protected at times of danger. (Time expired)

Senator Abetz: Mr President, I ask that further questions be placed on the Notice Paper.
QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Automotive Industry

Senator KIM CARR (Victoria) (15:01): I move:

That the Senate take note of the answers given by the Minister for Employment (Senator Abetz), the Minister for Finance (Senator Cormann) and the Assistant Minister for Health (Senator Nash) to questions without notice asked by Opposition senators today.

I remind the Senate that question time today reflects how this government have degenerated into purveyors of lies. This government have predicated their approach on peddling lies. They lie about the way in which the automotive industry operates and they lie about the way in which SPC operates. This government have degenerated into peddlers of lies.

They said that Toyota said that no matter what we did, they would leave as Holden did—which we know is untrue. Holden wanted to invest $1 billion. Jobs were driven overseas as a direct result of this government's actions. Toyota wanted to build not one but two new models in this country, which would have seen investment of around a similar proportion to that of General Motors.

Both these companies wanted long-term certainty. They did not want more; they just wanted to guarantee that the current support arrangements would be there into the next decade. What happened? The government promised to cut $500 million from the automotive industry assistance arrangements.

This is a government that has killed the automotive industry in this country. This is a government that will not face up to the fact that a new car plan, as Labor announced, would have secured the future of the automotive industry in this country and the jobs that go with it—the new investment, the new technologies and the new skills for Australia.

Senator Abetz says that we should not misquote Toyota, but I think Senator Abetz should refresh his own memory of what Toyota actually said. Toyota spoke to the Productivity Commission, which faithfully reported the statements on the 31 January—less than two weeks ago. Toyota Motor Corporation, on page 166, has stated that government assistance 'needs to be consistent and it needs to be ongoing' in order for Australian manufacturing operations to be viable. Senator Abetz, instead of acting blatantly in his party's interest, ought to think for a little while just about the national interest of this country and about the welfare of the people of this country.

It cannot be anything other than a social and economic disaster to see the loss of 50,000 jobs from the automotive industry, and the loss of maybe four or five times that number from subsequent industries that support the automotive industry. How can it possibly be in the national interest to get rid of Australian capabilities in regard to automotive manufacturing? How can the loss of those jobs, skills, technology, investment and taxation revenue be in the national interest? But this is a government that has pursued that course of policy.

They siced the Productivity Commission on the industry, in what we have said would always be a post-mortem. Well, it is a situation here—and I repeat my statements from before—where the coroner is inquiring into a death which the government welcome. This is a government that welcome the destruction of the automotive industry.

When it comes to SPC, Senator Cormann makes the claim that he stands by all the assertions that this government, the Prime Minister and other ministers have made. None of
their claims, he said, were false—none, whatsoever, of their claims was false. That is not what the company says. That is not what his own Liberal Party member in the seat of Murray says. That is not what the workers say. That is not what the press in the Goulburn Valley say. This is a government that turns its back on entire communities, not just on individual firms.

So we have a situation where over 3,000 people are now facing an economic catastrophe because of the government's blatant arrogance. The press reported that it is understood that, in the Liberal Party room itself, blatant arrogance is running this government. The government have a textbook view about how the economy works. It is a view that might be popular in the north shore of Sydney, but it bears no relationship whatsoever to the realities of economic life for working Australians and no relationship whatsoever to the way in which investment decisions are made internationally.

This is a government that is turning its back on ordinary Australians. This is a government that has no commitment to securing the investment, new technologies, new skills and new jobs this country needs. (Time expired)

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (15:06): I also rise to take note of answers to a variety of questions—a suite of questions, I might say—asked by the opposition. I rise just as Senator Carr sits down. He wants to tell me, a National Party senator from Victoria, what people in the seat of Murray, from Shepparton and Kyabram et cetera, are saying.

Senator Kim Carr: What are they saying?

Senator McKENZIE: I will tell you what they are saying, Senator Carr. They are saying, 'Get rid of the carbon tax.' They voted en masse, not for your promise—

Senator Kim Carr: What were they saying in the party room this morning?

The DEPUTY PRESIDENT: Order on my left! Order. Senator McKenzie, you have the call.

Senator McKENZIE: I think we want to look at what the people from the seat of Murray actually think about the suite of options available to them, Senator Carr in his former role put it on the table. He also put a whole other range of legislation options on the table—keeping the carbon tax, keeping the regulation that is strangling industry in this country. I tell you what, Senator Carr, as you leave the chamber: the people from the seat of Murray in my state voted en masse to get rid of your government, to get rid of those policies. It would be nice if the opposition and those having a crack today could get on board and get rid of one of the millstones on industry—particularly food manufacturing and processing in the regions—the carbon tax.

Senator Cameron, you talked of SPCA, and I might say your party had to be dragged kicking and screaming to initiate the safeguard action under the Productivity Commission and in relation to some of the strategies that the new management at SPC Ardmona had started to implement to get their company back on track. One of them was to address the international trade regime that their industry has been operating under, and it took a lot of effort, including from your own AMWU president at a state level, to get you guys on board. So do not come crying now that somehow we have been slow to act. You were ready to jump to attention for automotive workers at the time, but you were dragged kicking and screaming in relation to regional workers in the seat of Murray.
The Productivity Commission's safeguards inquiry identified the supermarket strategy as being an issue of concern for manufacturing and food processing in this country. We know that Senator Ludwig, in his previous role, tried to get a voluntary code together throughout the supply chain to get producers, processors and retailers on the same page to start to address some of those issues. But it was not Senator Ludwig who could come up with the solution; rather it was private industry. It was SPC Ardmona, it was Woolworths and it was Coles that responded to the very strong demand in the Australian community to back our local produce. Thank you to Coles and Woolworths for ensuring that 100 per cent of their product is now locally produced.

Senator Marshall: One hundred per cent—I don't think so.

Senator McKenzie: That is as a result not of your government's policy agenda but rather of private industry taking leadership, and that is what it should be about, Senator Marshall. I should not be surprised, Senator Marshall, that you are here. It is all about political game-playing for the Labor Party—using workers, not supporting them.

There was no greater case for us down south in Victoria, when the state leader of the Labor Party, Daniel Andrews—I notice you chuckling over there, Senator Marshall—came out in support of the workers, promising $25 million. He quickly did his figures and jumped it up a little more. That, folks, is not going to assist Coca-Cola Amatil in reaching their decision on 18 February because that money will not be arriving until the state election campaign come November 2014. Too little, too late by Daniel Andrews. The people of Murray clearly voted in September on what they wanted, and it was not more of the same. Yet here we are in February 2014 still debating whether the people of Murray meant what they said at the ballot box. Using workers for your state election campaign in November 2014 is beyond the pale.

The decision by Coca-Cola Amatil, a private company, on 18 February will determine whether SPC Ardmona in its current form continues in the Goulburn Valley. This is the company that has backed our region, that has backed our growers. It has invested in R&D and it has taken steps to address workplace relations practices. The management has changed and is going forward, and I hope the company does support them. But our job is to govern, to reduce the regulation—environmental regulation—right throughout our supply chain. (Time expired)

Senator Cameron (New South Wales) (15:11): One thing is clear from Senator McKenzie's session here: Senator McKenzie is no Dr Sharman Stone. You are not prepared to stand up for the people of your region. You have dodged the issue; you have wandered all over the place. Yet Dr Sharman Stone was prepared to stand up and call it how it was. You have said that you want to tell us in the Senate what the people of Murray are saying. Let me remind you what the people's representative in the seat of Murray, Dr Sharman Stone, a Liberal member, is saying. No wonder the Nationals are concerned that the Liberals might get more seats in National Party territory, especially after that weak performance of yours here.

Dr Stone said that the Prime Minister was attempting to scapegoat the workers at SPC. There was not a word from the heroes of the National Party to stand up for the workers at SPC—not a word. Dr Stone said that what the Prime Minister was saying was just rubbish—it was a witch-hunt, it was a furphy, it was not the truth and it was a distraction from the facts that would require some government action. She went on to say that it is lying. This is a senior member of the Liberal Party out in what should be National Party territory calling it
how it is. Where were the Nationals? They stood up here bleating about blue-collar jobs when they were in opposition. Where were you? Where was Senator Boswell? Nowhere to be seen. It is an absolute disgrace.

Dr Stone went on to say that the Prime Minister was blackening the character of SPC Ardmona workers. The Prime Minister was blackening the character of workers who are in trouble, who do not know if they are going to have a job, who will have a very limited future in that regional area. Yet what does the Leader of the Liberal Party do—the leader of the government, the Prime Minister? According to Dr Sharman Stone, a Liberal member, he is blackening the character of the workers at SPC. Don't come in here telling us what the people of Murray are saying. The member knows exactly what the situation is and she has gone out on the front foot with far more courage than the National Party have had on this. The National Party was done-over in the party room when they supported SPC—done-over once more trying to support regional communities. National Party members will continually be done-over as long as the Liberal Party extremists have control economic policy in this government. They will get done over time and time again, and workers' jobs will be lost.

I actually know what it is like to lose a job and be made redundant—not too many on the other side would. I have worked as blue-collar worker; I know what it is like to go home and tell my wife with a young child that I have lost my job, that I have been made redundant and that I do not know what the future is for the family. Yet what does this federal government do? It treats jobs with a cavalier attitude. There will be no government intervention. The extremists will say, 'It's all about destroying jobs in one area, with jobs being created in another area.' These are all economic fears of Schumpeter and all the nonsense we hear from the coalition. This is about real families; this is about real kids; this is about real communities. And you have let them down, Senator McKenzie, you have let them down by your craven approach to this issue.

Senator EDWARDS (South Australia) (15:16): How shrill.

Senator Cameron: Here's another hero.

Senator EDWARDS: I have listened to you, Senator Cameron, and I have listened to Senator Carr. How shrill you are, when for six years you presided over the manufacturing industry. Yet, Senator Carr has the gall to talk of lies. He brings that into this chamber, Senator Cameron. I see that you are exiting the chamber. 'Lies,' he says, 'lies.' It is very emotive. He did not say that in his press conferences, but he comes in here and talks about lies. I will tell you what is a lie—'There will be no carbon tax under a government I lead,' and 'We will have a green car policy, but, no, we won't, because we'll rip $1.2 billion out of it.' This is what has happened to the sector: the carbon tax has been a $460 million impost on the industry sector. Senator Gallacher belled the cat in an earlier contribution to this chamber—it is in Hansard. He has worked it out, and he is from the TWU. So, I presume his patriarchal master, Tony Sheldon, the national president of the Transport Workers Union, knows this too.

Senator Conroy: Secretary!

Senator EDWARDS: Secretary, thank you. What did they do? He said this morning that the coalition has a mandate—he agrees that we have a mandate—to abolish the carbon tax. What are those opposite doing? In this chamber they are stalling it.
What is going on in the car industry and what is going on with unions is completely dysfunctional. What has gone on? We have had 12 years of Labor in South Australia. Rabbits in the headlights, they are. We have a sector that has suffered with a high Australian dollar. What do Toyota, Holden and Ford—and Mitsubishi before them—have in common?—the cost of manufacturing. You heard from Senator Abetz: if the workforce had its way and if the unions had not stood in their way, there might have been another 2,000 working days on the floor each year. Now, that is productivity gain, but the workers were not allowed to do that. What happened to the car industry was systematic dysfunction. And what about the policy settings of the green car funds and the carbon tax? Then there was that $1.8 billion clanger—the FBT, just on the eve of the election. That worked! Cripple the industry by sending messages to the owners of these businesses about policy settings that the Labor Party provided the Australian environment. You were all over the place—'There'll be no carbon tax. We'll have green car funds; we'll put $1.2 billion into it. Oh, no, we won't; we can't balance the budget so we'll rip it out of there. Nobody will notice.' But they did notice. It was not on our watch; it was on your watch. You set the dysfunction in place, and you are totally responsible.

By the way, last week in South Australia we had Senator Farrell, who is leaving this place on 30 June, wanting to go to the northern suburbs of Adelaide to represent those poor people from Holden out there in the seat of Napier. What happened? There was a factional stitch up, and he was not allowed to. I quite like Senator Farrell; I have always found him to be a straight-shooting bloke. He wanted to introduce some intellect into that area. What do the members for Little Para, Newland, Playford, Light, Taylor and the current member for Napier have in common? Apart from being silent on this issue, they are all from the Labor Party. There has been 12 years of dysfunction in that area.

Senator Farrell wanted to go there to try to fix it, but Minister Michael O'Brien—not to be confused with our colleague in the Victorian Liberal Party—stood aside to let Senator Farrell come in. But what happened? The lefties stitched Senator Farrell up and snuffed out his political career. I feel he could have worked with the coalition government on arresting the dysfunction that Labor has put into the car industry.

**Senator MARSHALL** (Victoria) (15:21): If anyone needs a demonstration of the abject poverty of the coalition's position on manufacturing, they only need read Senator Edwards's contribution. This government has presided over the death of a $21.5 billion industry, and we get that sort of nonsense and rubbish as a contribution by Senator Edwards. I do not think he has done his party any service, he certainly has not done the Senate any service, and he is doing the people of Australia absolutely no service at all.

We are talking about an industry which employs up to 50,000 highly skilled workers. That means 50,000 highly skilled jobs are set to go from Victoria, and all you can do is talk about some nonsensical local political stuff. You have no understanding—as the coalition has no understanding—of the policy settings required to save an industry. There are 2,900 Holden workers in Victoria and South Australia, and they are set to lose their jobs in 2017. From Toyota in Victoria 3,500 jobs will go in 2017. Ford will be sacking an additional 300 workers soon, two years ahead of its decision to close completely in 2016. In total 1,200 jobs will go at Ford.
But the even bigger costs are in the supply chain. Each car produced in Australia has around 30,000 parts. Car manufacturers spend $2.5 billion every year with Victorian suppliers alone, and those companies together employ 18,000 full-time workers. It is estimated that, Australia-wide, 30,000 people supplying parts and components in the car industry will be impacted by the decisions to close. But the impact will be even greater than this. Allen Consulting Group, using economic analysis from Monash University, found that if Australia lost its car manufacturing, which we are now set to do, Australia's GDP would be $7.3 billion smaller by 2018. Furthermore:

Employment losses in Melbourne would equate to some 33,000 jobs in 2018, and around 6,600 in Adelaide.

… employment levels would not return until around 2027 for Melbourne and 2025 for Adelaide.

These are catastrophic figures. Yet when it is put to the government, 'Why didn't you act quicker?' they come back with this response: 'The decisions were already made. There was nothing we could do.' But that shows great ignorance about what is necessary to assist with long-term planning and to get the policy settings right for the automotive industry.

The coalition in the lead-up to the last election and through the election campaign announced that they were going to cut $500 million from car assistance over a long period, and these threats must have sent shudders through the boardrooms of Ford, Toyota and Holden. These threats, and the goading by Mr Hockey of GMH to get up and leave the country, must have had a major impact. Then there is the fact that the coalition tried to explain to us that Toyota was not under threat, because it had a different business model: that, on the whole, its cars were being exported. But again the coalition in its ignorance failed to understand that, once a critical mass in the car supplying, technology and R&D industries is lost, you make it unviable for companies to continue. It is so disappointing that the government failed to understand this and then came back and said, 'We didn't know; there was nothing we could have done anyway.'

At this very moment there is a delegation of shipbuilders in this building. The shipbuilding industry is also under enormous pressure, and the delegation has sought meetings with the Prime Minister, Mr Abbott; the Treasurer, Joe Hockey; the Minister for Industry, Ian Macfarlane; the Minister for Trade and Investment, Andrew Robb; and the Minister for Finance, Senator Cormann. Not one of these ministers has yet agreed to meet with the delegation. Some have blatantly refused, and some have simply ignored the request. So when they say, 'We didn't know; what is it we could have done?' they rejoice in their ignorance. They do not want to know. They do not meet with people who have information from the coalface, and that means that they can be happy in their ignorance when things go bad. *(Time expired)*

Question agreed to.

**Electronic Surveillance**

**Senator LUDLAM** (Western Australia) (15:27): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Ludlam today relating to indiscriminate surveillance by governments.
I rise to speak on the matter of the embarrassing and borderline hysterical display just put on in this chamber by our Attorney-General, the highest law officer in the land. He was behaving like an infant; it was like having a debate with a four-year-old. I think this parliament and millions of people around this country and around the world deserve better. They have legitimate and deep concerns about the surveillance activities of the US NSA and its partner agencies—including some in Australia—and their being treated with the contempt put on the record just now by the Attorney-General is completely unacceptable. If the attorney is not up to the job, he should set it aside for somebody who is.

Today is 11 February, and around the world more than 6,000 organisations—companies, civil society organisations and groups such as the Australian Greens—with user populations ranging from sub-niche to hundreds of millions are staging a black-out. This is a global internet black-out against government surveillance. It is good timing for us that it is the first day of parliamentary sittings for the year, and I am pleased to be able to add a contribution here on behalf of the Australian Greens.

The black-out was initiated by colleagues in the United States—not the usual suspects at all but those in the technology industry, civil society organisations, groups such as the ACLU and other people from right across the political spectrum there. Republican congressmen Jim Sensenbrenner is one of the authors of the Patriot Act, and when he—as somebody who understands the architecture of the US security estate better than most—read and understood what the Snowden releases, through the Guardian newspaper, had revealed, he said, 'This is well beyond what the Patriot Act allows.' In other words, he is intimating that in fact the activities of the US agencies in question are illegal. Lying to congressional committees in the United States is unlawful. All this means that the debate occurring in the United States is very interesting. As the powers of national security agencies are brought into question, and people have some truth to deal with and some facts on the table, the debate about the role of these agencies has become fascinating. That debate is taking place against the backdrop of the US Constitution, the Bill of Rights and other protections drafted by people who clearly had a much greater understanding of the potential for tyranny that lies under unchecked government surveillance than our own Attorney-General does.

The debate that is unfolding in the United States is actually, I think, quite profound. In contrast, what we get here in Australia is the kind of infantile display put on the record earlier by our Attorney-General. It is completely unacceptable. Senator Brandis accused Mr Edward Snowden, a whistleblower whom I hold in extremely high regard—as do, I imagine, a majority of Australians and millions of people around the world—of being a traitor. You could almost see the spittle flying from his lips. No evidence or justification was provided for the accusation that the revelations put into the public domain by Mr Snowden—through The Guardian, The New York Times, the ABC and other news organisations doing their job around the world—had created risk for Australians. No evidence at all was provided. They said exactly the same thing about the WikiLeaks revelations: the State Department cables, the war logs that disclosed war crimes, the cables that disclosed illegal activities by the United States State Department in the UN. There was no comment at all from the Liberal Party on those revelations. There was no comment at all about the fact that it appears these agencies have acted unlawfully in the United States or that a detailed set of reform proposals is now before
President Obama. Instead, in Australia, there is complete silence—not simply silence, but the kind of contempt on display from our Attorney-General this afternoon.

In the closing days of the 2013 parliament, the Greens were able to initiate an inquiry by the Senate Legal and Constitutional Affairs Legislation Committee into the surveillance regime that prevails in Australia. I acknowledge my Labor Party colleagues for supporting the reference, as well as Senator Xenophon, who, on behalf of his constituents, has made clear his own concerns on these matters. This inquiry is the first and perhaps best opportunity we will have to shed some light on the kinds of issues that many of us in this parliament, reflecting views in the broader community, believe are extremely important and urgent to address. It is to be hoped that our present Attorney-General's tenure is as brief as possible so that somebody can come into that office who has some respect for the positions that have been put—that these things need to be urgently reformed—and so we are not again treated to the kind of display that was put on the record earlier.

Question agreed to.

CONDOLENCES

Gietzelt, Hon. Arthur Thomas AO

The PRESIDENT (15:32): It is with deep regret that I inform the Senate of the death, on 5 January 2014, of Hon. Arthur Thomas Gietzelt AO, a senator for the state of New South Wales from 1971 to 1989.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:32): by leave—I move:

That the Senate records its deep regret at the death, on 5 January 2014, of the Honourable Arthur Thomas Gietzelt, AO, former Senator for New South Wales, places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

Arthur Thomas Gietzelt had a long life, spanning 93 years. He was born in San Francisco, California, in 1920 and grew up in Newton, Enfield and Sans Souci in Sydney. He attended Hurstville high school but left school at 15 to help support the family during the Depression. In 1941, he enlisted in the army and, in 1943 and 1944, went to New Guinea with his brother Ray as part of the 9th Field Company Royal Australian Engineers. Their job was to build a road over the Owen Stanley Range to support the front line in the north of New Guinea. After his discharge from the Army in 1946, he served three years on the state executive of the Returned Soldiers League.

Arthur Gietzelt became Councillor Arthur Gietzelt when he was first elected to the Sutherland Shire Council in 1956. He served nine terms as shire president—from 1961 to 1963 and again from 1966 to 1971. He was instrumental in setting up a scheme whereby the council acquired land, developed it and then auctioned the finished product. The proceeds paid for public infrastructure in the shire. In 1967, he was elected to the executive of the New South Wales Local Government Association, a role he remained in until 1971.

Councillor Gietzelt then became Senator Gietzelt on his election to the Senate in 1970. In 1971, he and his family were the victims of what one assumes was an attempted assassination when their house was bombed with 17 sticks of gelignite. The blast occurred at 2.20 am
outside the main bedroom which adjoined the front veranda about five feet from where Senator Gietzelt and his wife were sleeping. A double layer of bricks was the only thing that saved their lives. According to Senator Gietzelt, the community response was magnificent. A former independent shire councillor and retired builder arrived with a small workforce to remedy the immediate damage. I also note that Don Dobie, the then local federal Liberal member for Cook, and Jim Cover attended on behalf of the Liberal Party, as did others.

In 1975, Senator Gietzelt led the backbench revolt opposing the Labor cabinet's decision to issue export permits for sandmining on Fraser Island. In 1976, Senator Gietzelt became shadow minister for agriculture and later shadow minister for consumer and administrative affairs. From 1983 to 1987, the former engineer sergeant was Minister for Veterans' Affairs in the Hawke government. He instigated the Agent Orange royal commission, recognised the role of the Indigenous Australians who patrolled the northern coastline of Australia in World War II, was a strong supporter of the Vietnam Veterans Association, introduced homecare services for veterans and simplified disparate veterans' welfare entitlements under the new Veterans' Entitlement Act 1986.

Senator Gietzelt also brought his own political views to the Veterans' Affairs portfolio. In 1985, he declared that the War Memorial should play a greater role in educating people about the causes and consequences of war—including 'the intermittent war that Australians had waged on the Aboriginal people'—and teaching them that occasionally wars are fought for narrow sectarian, ideological, economic or xenophobic reasons that have brought little credit to us as a nation. He also said:

Australia needed to learn more about the consequences that powerful military alliances could lead to for small and nominally independent nations, consequences that ranged from threats of economic warfare to the imposition of brutal military dictatorships should those nations seek to assert a measure of independence within such alliances.

Senator Gietzelt was joint Father of the Senate from 1987 until his departure from parliament in 1989 at the age of 68, after 18 years in federal politics. In deference to my colleague Senator Faulkner, it is said that Senator Gietzelt's exit, causing a casual vacancy, was deliberately timed to ensure that his Senate spot would be taken by Senator John Faulkner—one of the few left-wingers from New South Wales Labor Party headquarters—who would allegedly otherwise not have secured a winnable spot on a Senate ticket. I thank Senator Faulkner for his assistance with this part of my speech.

In an interview at the time, Senator Gietzelt listed his and the Left's achievements as the restructuring of all industry awards, the Hawke government's Prices and Income Accord, the capital gains tax and the defeat of Paul Keating's proposed consumption tax which, he said, would have had disastrous effects on the economy.

No comment on or indeed tribute to Arthur Gietzelt's life would be thorough if it failed to address the persistent accusations that Gietzelt, despite his denials, was also a member of the Communist Party. A recent article by Troy Bramston in The Australian notes that Gietzelt was widely believed to have been either a member or secret member of the Communist Party of Australia and that he had acted as an agent of influence on its behalf inside Labor, unions and community-based organisations. As former New South Wales Labor senator Graham Richardson said:
He was a very powerful opponent. How powerful? He became a minister even though everyone knew he was a communist.

Gietzelt was also a member of the national executive of the ALP from 1971, rising to junior vice president in 1983 and senior vice president in 1986.

Much of Gietzelt's career and public commentary involved what might be described as a preoccupation with ASIO. It appears the preoccupation was reciprocated. In 1973 Gietzelt told the Senate that he had been told that 'some members of parliament are part-time operatives for ASIO'—a proposition that he found credible. More recently it has been alleged that there was in fact an ASIO informant within the Right faction of his own party who passed on information to ASIO. Such were the Cold War years. There is no doubt that in the seventies and eighties Gietzelt wanted to build a bridge between the communists and Labor. An article he wrote for the Nation Review in 1978 was billed as follows:

Senator Arthur Gietzelt, a key figure on the Left of the Labor Party for a generation, comes as close to calling for a Labor-communist dialogue as the Australian political atmosphere will allow.

Gietzelt's sweeping polemic acknowledged Stalinist authoritarianism that praised modern Euro-communism. He called on the Right wing in the Labor movement to stop putting more favourable labels on themselves' and describing others as part of the 'totalitarian Left,' and instead make 'an intelligent contribution to an alternative society to capitalism, one that is an extension of democracy and one that is thoroughly socialist.' In the same article he saw the defeat of the Whitlam government through the prism of class struggle:

We did not see that any change in the allocation of resources, wealth and privilege—the desire to give more opportunity to disadvantaged people to create a more egalitarian society, meant ipso facto, taking from some to give to others.

And that meant change. That meant struggle. To take from the privileged and to give to others meant we were involved in a class struggle.

To Gietzelt the Whitlam government's faults were naivety about what he saw as vested interests and a failure to prepare the ground. I quote again:

But did we prepare the electorate, or did we rely too much on government legislation, administrative fiats, the cooperation of the conservative bureaucracy and the ‘understanding’ of the media, least of all the acceptance of those ‘born to rule’ to accept the people’s verdict?

On bowing out of the Senate in 1989, Arthur Gietzelt told a journalist that he would write his memoirs in between taking his wife to dinner and going to the theatre. He must have been to a lot of plays and he and his wife must have enjoyed a lot of dinners, because we have had to wait till now, 25 years later, to get those memoirs. Arthur Gietzelt's long-awaited memoir, Sticks and Stones, was launched at his wake last Thursday. I note that a website set up to celebrate Gietzelt's life says that his denial of ASIO communist claims will be released after his family has had the opportunity to grieve their loss.

Arthur Gietzelt was awarded the Order of Australia for services to local government and parliament in 1992 and a Centenary Medal in 2001 for service to the community through the ALP and the trade union movement. He was made a life member of the ALP in 1994. It is a pity that former senator Bob Carr, a long time Gietzelt antagonist, is no longer here, as it would have been good to have had his reflections on the life of Senator Gietzelt as well as those of Senator Faulkner, from whom we expect to hear very shortly.
On behalf of the coalition, I extend our sincere sympathies to Arthur Gietzelt's wife, Dawn; his children Lee, Dale and Adam and their spouses; his grandchildren Tom, Jarrah and Skye; and his sister Fay. We extend our sympathies to them all.

Senator FAULKNER (New South Wales) (15:44): On behalf of the opposition, I support this condolence motion on the death of former Labor senator and minister Arthur Gietzelt. I said at Arthur's memorial service last week that I felt as if I knew Arthur Gietzelt all my life; I certainly knew him for all my political life. For more than 60 years, Arthur was a constant for those of us in the Labor Party in New South Wales—constant in his commitment to his community in the Sutherland Shire; constant in his determination to stand up for what he believed in and believed to be the best traditions of Labor; constant in his opposition to the sharp practices and underhand tactics of the Right; constant in his presence whether as a councillor, senator, mentor or stalwart of the Left.

Arthur was born on 28 March 1920 in San Francisco. He spent his early life in the Sydney suburb of Newtown, where his parents owned a tyre business. During the twenties the business prospered, but it faltered during the Great Depression, when many of its clients were unable to pay their debts. For a time the family struggled and, like so many of Arthur's generation, the hardship of this period shaped his politics. Despite these trying circumstances, Arthur performed well at Hurstville high school and, in his final year, he won a scholarship to attend St George business college. He studied there at night and for a time entertained the idea of becoming a journalist. But his first job was as a messenger with Myer needlework company. He duly joined the Federated Clerks' Union, the industrial Labor Party and the Australian Labor league. Like so many of his generation, his life was changed forever by the outbreak of war. There was no question he would serve in his nation's cause.

In 1941, Arthur and his brother, Ray, responded by enlisting. Arthur joined the 51st Field Park Company of the Royal Australian Engineers. He served in New Guinea with the 9th Australian Field Company, which built a road through thick jungle and difficult terrain to lay. From the Army, Arthur received permission to possess a camera, a radio and film development material. In his own time and at his own expense, Arthur started a company newspaper. His thoroughness was already apparent, and his eye for detail and passion for keeping a record. He began the war as a private and finished a sergeant.

Arthur returned to a job in his father's chemical business and to a block of land in north Caringbah. The fate of this land, where Arthur planned to build his war-service home, drew Arthur into local politics and the ALP. The council proposed rezoning the land from residential to industrial. Arthur made his first public speech at a protest meeting, demanding council change its decision. He won. But that protest was about more than zoning; it was about issues that Arthur was to make his causes for many years: the need for fair process and transparent decision making; the power of democratic action to change policy; and the importance of unified, intelligent, consistent planning decisions in the development of a new community.

Arthur served, as we have heard, as a councillor on the Sutherland Shire Council from 1956 until 1971, including nine years as shire president. Those were crucial years in making Sutherland Shire what it is today. During his presidency, Arthur took the shire from having little or no infrastructure to having the amenities of established suburbs. Many of the shire's swimming pools, playing fields and beach facilities are a direct result of Arthur's efforts—so
too is much basic infrastructure that today we take for granted as part of life in suburban Sydney: paved roads, stormwater drainage, sewerage and street lights. Arthur stopped high-rise development around Cronulla Beach and Caringbah, refusing to allow developers free rein. Although he was pilloried as an anti-growth radical for this, it was Arthur's vision that saw Sylvania Waters developed in partnership between council and the private sector.

Arthur Gietzelt was not a consensus politician. He believed in following his principles. Arthur saw Sutherland Shire as part of a wider community, the Australian community, and he never shied away from wider causes. He led Sutherland Shire Council to be the first Australian government body to ban South African competitors from a national sporting event, a surf-lifesaving carnival at Cronulla—a principled action which saw him blacklisted for decades by the local surf-lifesaving movement. During that time he also, as we know, endured a terrifying attack on his home, his family and himself when 17 sticks of gelignite were detonated on the doorstep of the family home.

Through all these years, Arthur was an active Labor Party member. He was one of the small number of dissident ALP branch members, appalled at the direction of New South Wales Labor, who decided to hold covert meetings at an out-of-the way place, the Esperanto Room in the northern pylon of the Sydney Harbour Bridge. That was 1953.

By 1956, Arthur and another party activist, John Garland, who was later to become the first National Secretary of the Amalgamated Engineering Union and an MLC in New South Wales, had been approached to support the ALP Trade Unions Steering Committee—a meeting of unionists opposed to the industrial groups. Thus was born the Combined Unions and Branches Steering Committee, as the left-wing faction of the New South Wales ALP was known for 50 years. Arthur served as secretary of the steering committee through the 1960s. His role was crucial in building links to activists in affiliated unions and party branches. Those links mattered when, in 1970, Arthur contested preselection for the Senate. It was a tough fight.

Arthur saw off his internal Left rival, Jack Heffernan, and won against the official ticket described in a brochure sent to Senate convention delegates as 'a balanced, qualified group supporting Gough Whitlam and the offices in NSW'. This claim was sophistry from the utterly ruthless, winner-take-all New South Wales Right. Arthur's success against the official ticket and against the odds says much for his organising ability and his tenacity. Arthur's term as a Senator began on 1 July 1971, and he soon became a significant player in the federal parliamentary Labor Party.

Arthur joined forces with Paul Keating to promote a ticket in the caucus ballot for the Labor ministry after the election of the Whitlam government in 1972. The ticket was stunningly successful. It upset the applecart, blocked several of Gough's preferred candidates and absolutely infuriated Gough. Only two caucus members on the ticket missed election—Arthur and Paul Keating! Clem Lloyd and Gordon Reid wrote about that ballot in their book *Out of the Wilderness*:

The most widely publicised ticket was a joint one devised by Mr P. Keating and Senator A. Gietzelt as representatives of right and left limits of the Caucus spectrum. Ironically both missed places in the cabinet, although their ticket did have considerable influence.

For the record, it was Al Grassby and Bill Morrison who broke the ticket and won through to become ministers. Paul Keating was the runner-up in the final caucus ballot and would have
comfortably won if his candidature had not been sabotaged by the leadership of the New South Wales Right of the party. As he described it: 'They stuck to me like a limpet mine'!

The highlight of Arthur's parliamentary career was his service as Minister For Veterans' Affairs in the Hawke government. His achievements in the portfolio were considerable. He was one of those ministers who made a difference. He oversaw a complete rewriting of veterans legislation, which had been amended nearly 100 times in its 70-year history, culminating in the simplification of disparate veterans welfare entitlements after the passage of the Veterans' Entitlements Act in 1986. He overhauled and modernised Australia's repatriation hospitals after years of neglect and rock-bottom staff morale. Under Arthur's watch, the Australian War Memorial was transferred to the Department of Veterans' Affairs, the memorial's staff was increased, several major conservation projects were initiated and the first female chairperson, Dame Beryl Bearepaire, was appointed to the memorial's council. At a time of expansion and with some difficulty, Arthur balanced the competing interests of memory, exhibition and learning at the War Memorial—always conscious of CEW Bean's vision of the memorial as a monument that commemorates through understanding.

As a minister, his concern for equity and justice and belief in the government's role in providing support for those in our society who needed it showed through the recognition of the role of Indigenous Australians who patrolled the northern coastline of Australia in the Second World War; his strong support for the Vietnam Veterans Association, including instigating the Agent Orange royal commission; and the introduction of home care services for veterans.

All the while, Arthur fought many battles within the Labor Party. He spearheaded the drive for federal intervention into the New South Wales branch of the party in 1970. Federal intervention had many consequences—one was compulsory power-sharing. Proportional representation ensured that Arthur became one of New South Wales' two representatives on the federal executive; the other was the redoubtable John Ducker. It seemed to me, a young left-party activist at the time, that their internal battles characterised New South Wales Labor in the early 1970s. John Ducker and the New South Wales machine always won the matches at home. Arthur was an away specialist, winning more than his fair share of the tussles at the federal level. The Shortland preselection, which saw a local ballot, then a state council ballot, then another local ballot and finally a federal executive decision, was a great example of Arthur's relentless determination. He backed the locals, the best candidate—Peter Morris—and good process; and it worked.

These were years when Arthur Gietzelt was at the height of his power and influence. His attention to detail was legendary. It was Arthur Gietzelt who rang Jack Ferguson on the morning of the 1973 New South Wales state parliamentary Labor Party leadership ballot between the incumbent, Pat Hills, and challengers Neville Wran and Kevin Stewart. Arthur reminded Jack that, in the event of a tie after the distribution of preferences, the winner would be the candidate who polled the greatest number of primary votes. As a result of Arthur's call, Jack confirmed the count-back practice with the caucus returning officer. Wran polled 18 votes, Hills 17 and Stewart nine. After the distribution of preferences it was Wran 22, Hills 22. The returning officer declared Wran the winner on a count-back of primaries. Arthur's phone call helped make history.
In the 1970s and '80s the steering committee in New South Wales operated with an activist executive which Arthur religiously attended, even as a federal parliamentarian. And in small meetings of a dozen or so around a table, Arthur was at his most effective. He was persuasive, compelling. He was a real force with years of experience, a prodigious memory and a command of detail—but an utter lack of humour. If you disagreed with him, be prepared for a piercing and steely glare and a very long lecture, with his hearing aid buzzing away providing a constant annoying accompaniment. And I was on the receiving end of that steely glare on more than a few occasions. Arthur and I had our disagreements—everyone knows that. Once he made up his mind, he stuck to it—a great strength with opponents within and without the party, but at times a great frustration for his allies. And he was loyal to those he decided to support, not all of whom deserved that loyalty. Never naive about opponents, he could be far too trusting of those who professed their support. He was by no means a good judge of character.

However, despite our occasional disagreements, I could always rely on Arthur's support when I was working in ALP head office. A telephone call from him in those years was an experience. Arthur was convinced that my office telephones were tapped. So he would speak in riddles—incomprehensible to anyone listening in, unfortunately they were also often incomprehensible to me. A conversation would start like this. Arthur would say, 'It's me.' I would say, 'Hello, Arthur.' He would say, 'Don't use my name!' He would go on: 'There's a meeting in the sandwich king's office at 12 o'clock on Friday. I'll let our printer know. Can you tell the sewing lady.' And on and on it went. Roughly translated, this meant that there would be a meeting at Deputy Premier Jack Ferguson's office and we needed to make sure that the then Senator Bruce Childs and the then MLC Delcia Kite joined us.

A sensible phone conversation could become an impossibility. An example. Arthur: 'Make sure you invite the man who spilt tomato sauce on his shirt at the barbecue last Tuesday to our meeting.' I could never conform to such a request given that I had not attended any barbecue, I had no idea who the individual was and Arthur would not use his name. In call after call, Arthur would use pseudonyms, codenames and deliberately ambiguous language to confound those listening in. Of course, he could only hear my answers if I shouted down the line—often, to his dismay, ignoring his anti-surveillance protocol. Because of his deafness I am sure everyone in Sussex Street could hear what I was saying on my end of the phone.

With the sound of his hearing aid so audible, Arthur developed the habit of switching it off when he stood up in the Senate to speak. This solved one problem but, of course, created others. Without his hearing aid, Arthur could not hear interjections—no great loss, but he could not hear anyone at all, including the President or a frustrated party whip giving instructions. Regardless of any call to order, regardless of whoever might be on their feet and speaking at literally the same time after being recognised by the chair, Arthur just kept on speaking.

And that hearing aid caused even more disruption at one ALP federal executive meeting when an electronic background noise could be heard somewhere in the room. Given this happened very soon after the dismissal of the Whitlam government, the immediate suspicion of the attendees was that ASIO had installed a listening device to monitor discussions. There was absolute pandemonium. A frantic but fruitless pursuit ensued, until eventually the culprit was identified: it was a listening device indeed, but not the sort ASIO would use. And after
adjustment to Arthur's hearing aid, the meeting reconvened. Ironically, the innocent offender was the one member of the executive most paranoid about bugging devices.

But Arthur's concerns were not entirely unfounded. ASIO's files reveal that he, among others, was a target for surveillance. They suspected him of links to the Communist Party. I do question what civic responsibility ASIO was fulfilling in those years by spying on the Communist Party of Australia or its members, let alone those who had contact with its members.

I can say that Arthur consistently and categorically denied the allegation of CPA membership to me—and I have scant regard for information provided by paid informants who, it is obvious from the records, knew little about the trade union movement and even less about the Australian Labor Party. I reject absolutely the notion that Arthur was an agent of the Soviet Union or less than loyal to Australia. He fought for his nation in war, he served his nation in its parliament, he served his nation in its executive government, and he was privy to no secrets of use to any foreign power.

I do give a great deal of credit to Arthur's record. Whatever speculation some might foster about his political associations, there is absolute proof of his decades of hard work and of his dedication to Labor values and Labor's electoral success. He had an enduring influence on the left and on all of us who value the same principles of democratic decision making and representation and of service to the community, on which Arthur expended so much of his efforts and to which he devoted his life.

Arthur was an inveterate optimist. Whatever the political setback, however thumping the defeat at the hands of the New South Wales Right, he would assure us all that a win was just around the corner. But it never was in the New South Wales ALP, although on the racetrack Arthur was tinny. He loved a punt on a Saturday afternoon and had an uncanny knack for picking long-priced winners. In the early sixties, the first leg of his daily double, Glenhurst Girl, won at 100 to one, and the second leg of his double, Calmness, another roughie, got up. Arthur won 662 pounds and five shillings for an outlay of five bob. In 1979 he did a lot better. For a $6 outlay on a box trifecta, he won $30,000. For Arthur's family it meant a holiday home at Warilla.

The death of Arthur Gietzelt is the end of an era. On behalf of the opposition, I express our very sincere sympathy to Arthur's wife, Dawn, a committed political activist in her own right who stood beside Arthur in so many struggles, and to Arthur's children Lee, Dale, Adam and their families. Their loss is keener than ours, but we will all miss him.

Question agreed to, honourable senators standing in their places.

Drummond, Mr Peter Hertford

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (16:11): It is with deep regret that I inform the Senate of the death on 10 December 2013 of Peter Hertford Drummond, a member of the House of Representatives for the division of Forrest, Western Australia, from 1972 to 1987.
PETITIONS

Multiple sclerosis: Fampridine

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education) (16:11): by leave—I present to the Senate the following document: a petition, from 10,867 citizens requesting the subsidising of the drug fampridine, which is not in conformity with the standing orders as it is not in the correct form.

NOTICES

Presentation

Senator Lundy to move:
That the time for the presentation of the report of the Finance and Public Administration References Committee on its inquiry into Commonwealth procurement procedures be extended to 30 June 2014.

Senator Furner to move:
That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold a private briefing during the sitting of the Senate on Thursday, 13 February 2014, from 10 am, followed by a public hearing to take evidence for the committee’s inquiry into the 2012-13 report of the Australian Commission on Law Enforcement Integrity.

Senator Singh to move:
That the Parliamentary Joint Committee on Law Enforcement be authorised to meet during the sittings of the Senate, as follows:
(a) on Wednesday, 12 February 2014, from 5.30 pm, for a private briefing; and
(b) on Wednesday, 5 March 2014, from 5.30 pm, for a public meeting to take evidence for the committee’s inquiry into the 2012-13 report of the Australian Crime Commission.

Senator Macdonald to move:
That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2013 be extended to 27 March 2014.

Senator Smith to move:
That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sittings of the Senate, from 10.30 am, as follows:
(a) Thursday, 13 February 2014;
(b) Thursday, 6 March 2014;
(c) Thursday, 20 March 2014; and
(d) Thursday, 27 March 2014.

Senator Gallacher to move:
That the Joint Standing Committee on the National Disability Insurance Scheme be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, from 10.30 am, as follows:
(a) Wednesday, 5 March 2014;
(b) Wednesday, 19 March 2014; and
(c) Wednesday, 26 March 2014.
Senator Stephens to move:
That the Senate—

(a) notes:
   (i) the ongoing humanitarian crisis in Syria, Jordan and Lebanon,
   (ii) the former Labor Government’s contribution of $100.8 million to humanitarian assistance, and
   (iii) the Abbott Government’s contribution of $12 million to humanitarian assistance; and

(b) calls on the Government to immediately increase its humanitarian aid commitment to people affected by the Syrian conflict.

Senator Wright to move:
That the Senate—

(a) notes:
   (i) the Australian Curriculum was developed over 6 years, involving input from thousands of educators, parents and academics, and was negotiated with, and agreed to by, state and territory governments,
   (ii) the Australian Curriculum is still in the process of being implemented by state and territory governments,
   (iii) there is widespread concern among educators and the public about the timeframe, scope and transparency of the Federal Government’s review of the Australian Curriculum, and the objectivity and expertise of the panel;

(b) recognises:
   (i) the importance of a non-partisan perspective in the development of the curriculum for Australian students, and
   (ii) the need to appoint proficient and independent experts to oversee reviews of Commonwealth programs; and

(c) calls on the Government to immediately restore the established system of appointing independent education experts to oversee the development and implementation of the Australian Curriculum.

Senator Milne to move:
That the Senate—

(a) condemns the Abbott Government for its attempt to reduce the size of the Tasmanian Wilderness World Heritage Area by 74 000 hectares to enable logging of high conservation value forests;
(b) supports the findings of the World Heritage Committee that the areas proposed for excision satisfy World Heritage criteria;
(c) notes that commercial markets reject timber products from primary native forests as unsustainable and uncertified;
(d) understands that the Abbott Government’s proposed boundary adjustments are not based on evidence that this area does not contain world heritage values;
(e) supports the 2013 boundary modification; and
(f) calls on the World Heritage Committee to reject the request to reduce the size of the World Heritage Area.

Senators Cash, Kroger, Moore and Waters to move:
That the Senate—
(a) notes that:
   (i) Thursday, 6 February 2014, marked the International Day of Zero Tolerance for Female Genital Mutilation (FGM),
   (ii) the day has been designated by the United Nations to raise awareness amongst the general public about this practice which violates the human rights of women and girls, and
   (iii) approximately 140 million girls and women worldwide are currently living with the consequences of FGM;
(b) recognises that FGM in Australia is prohibited by specific legislation in every jurisdiction;
(c) congratulates the New South Wales Government for moving to increase the maximum penalty for performing FGM from 7 to 21 years; and
(d) supports and encourages ongoing domestic and international efforts to support and empower women and girls affected by FGM and to eliminate the practice of FGM.

Senators Cash, Moore and Waters to move:
That the Senate—
(a) notes that:
   (i) February 2014 is Ovarian Cancer Awareness Month,
   (ii) Ovarian Cancer Awareness Month is run each year by Ovarian Cancer Australia, its purpose to raise awareness of the signs and symptoms of ovarian cancer and to offer support for the women, their families and friends affected by ovarian cancer, and
   (iii) Wednesday, 26 February 2014, is Ovarian Cancer Australia’s Teal Ribbon Day, a day when Australians are invited to purchase and wear a Teal Ribbon to show support for ovarian cancer awareness, support and research and recognise those affected;
(b) recognises that:
   (i) according to Ovarian Cancer Australia, one woman dies every 8 hours from ovarian cancer,
   (ii) the organisation also reports that each year more than 1 400 Australian women are diagnosed with ovarian cancer and around 1 000 will die from the disease, equating to an average of four Australian women being diagnosed every day, and
   (iii) early detection of ovarian cancer is key, as when ovarian cancer is detected in the early stages, the majority of women will survive; and
(c) commends Ovarian Cancer Australia for the work that it has done in raising awareness of the signs and symptoms of ovarian cancer and to reduce its impact on Australians.

Senator Rhiannon to move:
That the following bill be introduced: A Bill for an Act to amend the Commonwealth Electoral Act 1918, and for related purposes. Commonwealth Electoral Amendment (Reducing Barriers for Minor Parties) Bill 2014.

Senator Rhiannon to move:
That the following bill be introduced: A Bill for an Act to amend the Export Control Act 1982 to prohibit the export of live animals for slaughter, and for related purposes. Live Animal Export (Slaughter) Prohibition Bill 2014.
Senator Hanson-Young to move:

That the amendments to the Migration Regulations 1994 made by the Migration Amendment (Unauthorised Maritime Arrival) Regulation 2013, as contained in Select Legislative Instrument 2013 No. 280 and made under the Migration Act 1958, be disallowed. [F2013L02104]

Fifteen sitting days remain, including today, to resolve the motion or the instrument will be deemed to have been disallowed.

Senator Hanson-Young to move:

That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 20 March 2014:

An inquiry into the incident which saw Australian Navy vessels in connection with Operation Sovereign Borders breach Indonesian territorial waters between 1 December 2013 and 20 January 2014, and in doing so, the committee must consider:

(a) the sequence of events that led to the breaches, including the number of times Australian vessels breached Indonesian waters;
(b) the operations being undertaken by Australian vessels which led to the breaches;
(c) operational protocols and procedures observed by the Royal Australian Navy, Customs and Border Protection and by other relevant Commonwealth agencies when conducting these activities as part of Operation Sovereign Borders;
(d) the extent to which these activities complied with international law;
(e) the extent to which the Government’s policy may result in further incursions;
(f) the communications between Operation Sovereign Borders agencies, including the Department of Immigration and Border Protection, the Joint Agency Taskforce, the Department of Defence and Customs and Border Protection, regarding the breaches;
(g) the communications between the Minister for Immigration and Border Protection and Operation Sovereign Borders agencies, including the Joint Agency Taskforce, the Department of Immigration and Border Protection, the Department of Defence and Customs and Border Protection, regarding the breaches;
(h) operational procedures observed by the Royal Australian Navy and other Commonwealth agencies involved in Operation Sovereign Borders to ensure the safety of its personnel and asylum seekers on the vessels entering or attempting to enter Australian waters;
(i) any agreements between the Australian Government and the Indonesian Government regarding the interception of asylum seeker boats in Indonesian and international waters; and
(j) any other matters.

Senator Hanson-Young to move:

That the Senate congratulates the athletes representing Australia at the 2014 Sochi Winter Olympic Games for their support of the Lesbian, Gay, Bisexual, Transgender and Intersex community and condemnation of Russia’s discriminatory and homophobic laws.

Senator Carr to move:

That there be laid on the table by the Minister representing the Minister for Immigration and Border Protection, no later than noon on Thursday, 13 February 2014, documents detailing the number and cost of the lifeboats purchased by the Australian Government for use in border protection operations, including the cost of any upgrades or alterations; the number of lifeboats remaining in the Australian Government’s possession; and details of the procurement process for these lifeboats in accordance with the Commonwealth Procurement Rules.
Senator Carr to move:

That there be laid on the table by the Minister representing the Minister for Industry, no later than Thursday, 13 February 2013, a copy of the report produced by the high-level panel, comprised of Ms Catherine Livingstone AO, Mr Richard (Dick) Warburton AO LVO and the Honourable Greg Combet AM, established in December 2013 to advise the Government on assistance to SPC Ardmona.

Senator Williams to move:

That the Environment and Communications Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 13 February 2014.

Senator Siewert to move:

That the Senate—

(a) notes that

(i) the Minister for the Environment has granted an exemption to Western Australia, under section 158 of the Environment Protection and Biodiversity Conservation Act 1999 (the Act), from all of the provisions of part 3 of the Act, to allow the setup of baited drum lines off the West Australian coast with the intent to catch and kill great white sharks, tiger sharks and bull sharks over 3 metres,

(ii) the Western Australian Government has broken its commitment to minimise the environmental impact of these drum lines by failing to reduce the chance of small shark by-catch,

(iii) there is a lack of public reporting by the Western Australian Government on the number of sharks and other marine life, caught, killed or released, and

(iv) Communities and Surf Life Saving WA reports indicate that at least 36 sharks have been caught since the drum lines were set, 32 of which were smaller than 3 metres, contravening clause 17 of the exemption;

(b) condemns the Catch and Kill Shark Policy of the Western Australian Government; and

(c) calls on the Minister for the Environment to revoke the exemption of the drum lines given to the Western Australian Government under section 158 of the Act.

Senator Wright to move:

That the following bill be introduced: A Bill for an Act to amend the Adelaide Airport Curfew Act 2000, and for related purposes. Adelaide Airport Curfew Amendment (Protecting Residents’ Amenity) Bill 2014.

Senator Waters to move:

That the Senate—

(a) notes:

(i) the World Heritage Committee has expressed extreme concern about industrialisation of the Great Barrier Reef coastline, as have Queensland fishers and tourism operators, and the broader Australian community,

(ii) the Federal and Queensland Governments are currently undertaking two strategic assessments which will decide how the Great Barrier Reef’s coast will be protected into the future, and

(iii) there has been a public submission process on the draft strategic assessments, however submissions have not been made public, denying the public the ability to scrutinise submissions made by experts and industry; and

(b) calls on the Federal Government to promptly publish all submissions received on the two Great Barrier Reef draft strategic assessments.
COMMITTEES

Foreign Affairs, Defence and Trade Legislation Committee

Reporting Date

Senator BUSHBY (Tasmania—Deputy Government Whip in the Senate) (16:13): by leave—At the request of the Chair, Senator Eggleston, I move:

That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Legislation Committee on the Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013 be extended to 4 March 2014.

Senator McEwen: Just before we commit the opposition to a vote on this can I just clarify that that motion also includes the ability for debate to continue on that bill as was agreed.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): I have just been advised by the Clerk that I believe it is going to be dealt with by the next motion. So the question is that the motion moved by Senator Bushby be agreed to.

Question agreed to.

BUSINESS

Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (16:13): I move:

That:

(a) general business order of the day no. 17 (Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013) be considered on Thursday, 13 February 2014 under the temporary order relating to the consideration of private senators' bills; and

(b) the Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013 may be proceeded with (second reading speeches only) before the Foreign Affairs, Defence and Trade Legislation Committee reports on the bill.

Question agreed to.

Leave of Absence

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:14): by leave—I move:

That leave of absence be granted to Senator Tillem from 11 to 13 February 2014, for personal reasons.

Question agreed to.

NOTICES

Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Madigan for today, proposing a reference to the Legal and Constitutional Affairs References Committee, postponed till 13 February 2014.

General Business notice of motion no. 93 standing in the name of Senator Ludlam for today, proposing the introduction of the Telecommunications (Interception and Access) Amendment (Get a Warrant) Bill 2014, postponed till 23 June 2014.
COMMITTEES
National Disability Insurance Scheme
Meeting

Senator GALLACHER (South Australia) (16:15): by leave—I move:
That the Joint Standing Committee on the National Disability Insurance Scheme be authorised to
hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the
Senate on Wednesday, 12 February 2014, from 10:30 am.
Question agreed to.

MOTIONS
Sexuality in India

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:15): At the
request of Senator Hanson-Young, I move:
That the Senate condemns the Indian Supreme Court's decision to outlaw homosexual acts, which
could see people jailed for up to 10 years because of their sexuality.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and
Assistant Minister for Social Services) (16:16): I seek leave to make a short statement.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Leave is granted for one
minute.

Senator FIFIELD: The government believes that all people are entitled to respect, dignity
and legal protection, regardless of their sexual orientation or gender entity. We condemn
discrimination on these grounds, particularly violence, intimidation or harassment of LGBTI
persons or communities. The Australian government advocates strongly for non-
discrimination, including on the basis of sexual orientation or gender identity, in all fora,
including in the UN Human Rights Council and the UN General Assembly.

The government respects the independence of the Indian judiciary and the sovereignty of
the Indian government. For that reason we cannot support a motion that denigrates the
institutions of our friends in democratic India.

The Australian government engages broadly with India in a constructive manner on human
rights, including on LGBTI issues. I note calls by Indian members of parliament to introduce
legislation to repeal section 377 of the Indian penal code and to decriminalise homosexual
acts. The Australian High Commission in New Delhi will continue to monitor the issue
closely.

The ACTING DEPUTY PRESIDENT: The question is that the motion moved by
Senator Siewert be agreed to.

Question agreed to.
MATTERS OF PUBLIC IMPORTANCE
Manufacturing

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (16:17): The President has received the following letter from Senator Moore:

Pursuant to standing order 75, I propose that the following matter of public importance be submitted to the Senate for discussion:

"The Abbott Government's failure to support Australian manufacturing jobs."

Is the proposal supported?

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

The ACTING DEPUTY 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 KIM CARR (Victoria) (16:18): The loss of Australia's last major motor vehicle producer is a national tragedy. It is an economic and social catastrophe that will be felt for generations. And, of course, all we have seen from the government in response to this suggestion is that there is some bright new day ahead in the future. Like one of those old happy-clappy folk singers from the 1960s, the Prime Minister is out there suggesting that a better day will come sooner or later. There is no plan, no suggestion of a plan and no understanding of the consequences of the government's action.

So we have tens of thousands of high-quality jobs, especially those of blue-collar workers but also those of some of the most creative people working in manufacturing—our scientists, our engineers and our designers—all of whom are now facing the extraordinary anxiety and distress that comes from this kind of situation. We will lose what is now some $700 million that the automotive industry provides by way of its national contribution to our research and development. We will lose an extraordinary array of capabilities in regard to technologies, in skills and in infrastructure. The industry estimates that the death of the automotive industry will slash $7.3 billion from Australia's GDP by 2018; that it will take more than 10 years for the economy to recover and possibly as many as 20 years for manufacturing to recover; and that unemployment levels in the regions most affected will not recover until the end of the 2020s.

So this is a government that has traded-in Australia's automotive industry for a $20 billion welfare bill, and they say they have no regrets. We ought to be shocked at the sheer audacity of this government. In this example of a situation where people are faced with a bleak future, what does this government do? It blames workers; it blames carbon pricing; it blames anyone except the government and its failure to develop an industry policy to meet the needs of Australia.

This is a government that is dominated by those who believe in textbook economics, a textbook view of the way in which the world works. This might be very popular on the north shore of Sydney and in the merchant bankers' suites—bankers, who, of course, enjoy the enormous protections that this government provides to the banking industry—but the government takes the view that we have to turn our back on manufacturing workers.
We of course know the reality. This is a government that, in the last parliament, launched a campaign to slash $500 million from the Automotive Transformation Scheme. It is a decision they had many chances to revisit, but chose not to. This is a government that chose to play chicken with the international automotive industry. They stalled, they delayed, they made snide remarks, they insulted the international investment committees, they bullied General Motors, and they cleared the hurdle which they were seeking: to remove General Motors. I remind senators that on 10 December last year the then Acting Prime Minister, Warren Truss, wrote to General Motors demanding that it make an immediate statement about the future of its Australian plants. That was before the company here had even heard the outcome of the government's much vaunted process around the Productivity Commission. That was before the formal process as to whether or not the government would provide any future support had been concluded. GM's managing director, Mike Devereux, had told the commission on Tuesday of that week that the company had made no decision about its future in Australia and that the company was waiting to hear whether the coalition would offer long-term support. Mr Devereux reminded us then that the cost to Australia of losing the car industry would dwarf the cost to the budget in saving it. We know that Mr Hockey waltzed into the House of Representatives and demanded an answer from General Motors. He got one the next day.

We know the reality of what this government has been about: the ideological obsession of the hard right wing of the Liberal Party, which took the view that there is some legitimate expenditure when it comes to industry assistance—for instance, in oil and gas and in livestock. We actually spend more money on sheep and goats than we do on the automotive industry. But this government took the view that support for the automotive industry was somehow or other immoral. Their unrelenting hostility has produced the result they sought: the destruction of the automotive industry, the destruction of the jobs in the automotive industry and the destruction of the capacity of this country to develop highly advanced, elaborately transformed manufactured goods.

They have tried to present the view that the automotive industry is Old World. They do not recognise that the average car today has some 250 microprocessors on board. Over 30,000 parts have to be delivered on time in exactly the right order, every time. They do not acknowledge the importance of the automotive industry to so many other industries in this country—to steel, to aluminium, to plastics, to electronics, to robotics—all of which have a tremendous impact on other manufacturing industries. They do not acknowledge any of that. All we see from this government is the statement from the Prime Minister on 14 December that there would be no support for Toyota. In fact, we have heard from the Prime Minister the suggestion that there was nothing they could have done. The reality is very different. This government sent a clear, unrelenting message of hostility to Japan, as they did to Detroit. At a time when we know the investment decisions which could have secured billions of dollars worth of new investment, new jobs and new technologies for this country were being made, this government said they were not interested in providing assistance. They have traded on the welfare and the prosperity of tens of thousands of Australian workers. They have shipped offshore the great export industry of this government—they are exporting jobs—because they refuse to acknowledge the economic realities of how decisions are actually made when it comes to investment.
Isn't it ironic that it is the Labor Party that has to make the appeal for international investment in Australia and that it is the hard Right of the Liberal Party that says, 'We're not interested. Unless it is Cadburys or a fishing company in Hobart that is in a marginal seat, we're going to draw a line in the sand and we're going to say that we're not interested in the welfare of Australian workers. We're going to make Australian jobs the biggest export industry of all.'

This is a government that will not face up to the reality that for every dollar invested by the Commonwealth in the automotive industry that industry was spending $20, in Toyota's case, and $35, on the advice of General Motors. Last year alone, $1.5 billion was spent by Toyota on its suppliers across Australia. How are you going to replace that? Where are the jobs going to come from to replace that? Where is the investment? Where are we going to see the economic activity? (Time expired)

Senator BIRMINGHAM (South Australia—Parliamentary Secretary to the Minister for the Environment) (16:28): I rise to speak on this matter of public importance; it is a matter of significant public importance. It is evident from the contribution by Senator Carr that, yes, those on that side have a very different approach to the way the country should run from the approach of we on this side. I acknowledge that up-front.

Senator Carr spent much of his contribution talking about whether there was a plan for industry, a plan for the economy, a plan for jobs in Australia. Yes, we have a plan. We have a plan to create one of the world's most highly productive and highly competitive economies. Australia has a strong economic base. We have a sound future. We have much that we can build upon and grow jobs upon, as we have done through different waves of economic transformation in this country over decades.

That is what we will do, and we will do it by getting the fundamentals right across every stretch and every part of the economy that we possibly can: by making Australia a lower-taxing country, where it is actually more competitive for people to do business; by making Australia a lighter-regulatory country; and by making Australia a country that is attractive in which to invest, whether you are a small business or a large business and whether you are an Australian-owned business or a multinational business.

We will not be adopting what seems to be Senator Carr's command-and-control approach to economic planning. That is the old socialist approach, which is no surprise coming from Senator Carr. What is the surprise though is that his approach, his command-and-control approach to economic planning and to industry planning, seems basically to be, 'We should give more money to foreign multinationals to prop up jobs here.' That seems to be the genesis of Senator Carr's argument. Boil it all down and that is what his industry planning is. That is certainly what it was throughout his time as industry minister. Throughout his time as industry minister, time and time again it was simply, 'Let's just give more money, because that will fix the problem."

It was too bad if you were a small business who could not get the ear of government; you did not get any more money in those circumstances. It was too bad if you were somebody who was not from one of the previous government's pet, favoured industries—most likely a highly unionised industry of the previous governments—because you would not get any more money. But if you were able to make a lot more noise, if you were one of the favoured industries and if you were a highly unionised industry, then there was every chance that you
could manage to get from the Labor government a bit more money that could go back to your shareholders overseas.

That is their approach. Our approach is different. Our approach is fundamentally to ensure Australia is as productive, competitive and efficient as we can possibly be so that this country can compete on the world stage and grow new jobs in the future. How are we going about doing that? Of course, we have laid out some plans already. We laid them out before the election and we are seeking to implement them.

We will grow new jobs, first and foremost, by reducing the tax base that is affecting manufacturing in particular but also a whole range of industries. If the Labor Party would just get out of our way, we could have repealed the carbon tax already. It is a tax that had a $460 million impact on the automotive industry that Senator Carr was just bemoaning. The carbon tax was a $460 million impact imposed upon that industry by the previous government, which we have been seeking to remove. But, no, they would have us leave the tax there, but give money away instead.

We are seeking to scrap the mining tax. We are seeking to restore the Australian Building and Construction Commission. Why? Because that can help drive greater productivity across the Australian economy. By reducing the rorts, the corruption and the type of activities that some of Senator Carr's union mates undertake, we can make sure that we have a far more competitive environment in that sector.

We are going to continue to cut taxes to make Australia a more competitive place to invest. That is why we have promised a 1½ per cent cut to the company tax rate to 28.5 per cent, making Australia—in our region and in the world—a more attractive place in which to invest for all businesses, not just those who get handouts. We have committed to reducing the amount of red tape, green tape, bureaucracy and regulatory hurdles that businesses face, to the tune of $1 billion a year. Shortly, this parliament will sit on dedicated days to consider the repeal and winding back of the legislation and the red tape that strangles business investment all too much.

So we absolutely have a plan. We have a far clearer plan than those who went before us, whose plan was simply a muddled and befuddled approach of launching new packages every couple of years, changing those packages and stripping money from one to give to another. We all remember the Green Car Innovation Fund: it came and it went, it had money and it did not have money. Little wonder that industries were confused about what they were getting!

What industry will get from our government are the lowest taxes we can create, the lightest regulatory touch we can create and the best opportunities for them to invest that we can create. That is what they will get from us. They will get policy certainty and they will get a government that knows in which direction it wants to take the economy. And we will keep going in that direction to make sure we create the best opportunities for job creation into the future.

You would be forgiven—listening to Senator Carr, Mr Shorten and all of those opposite—for thinking that somehow everything was shipshape in the automotive industry on 7 September 2013 when they lost government. You would be forgiven for thinking there were no issues, there had been no problems and that everything was going along swimmingly well.
If you listen to them today you hear them say, 'You should have been able to prevent the closure of Toyota. You should have been able to prevent the closure of Holden.'

What about in May last year, when Ford announced their closure? What about that one? Should that have been preventable when it happened under the previous government? What about in 2008, when Mitsubishi closed its doors? Was that preventable, when it, too, happened under the previous government? The truth of the matter is that the rot in the automotive industry set in under the previous government. The critical mass for the industry was lost under the previous government. By the time we came to power, there were just two automotive manufacturers left in this country.

The critical mass had already been undermined. There was already a huge amount of debate about whether it would be possible to sustain just two manufacturers, about the scope of bailouts that would be required to do that, and about the cost and whether it would be worthwhile. During the time of the previous government, we saw the number of cars made locally in Australia, in the period between 2007 and 2013, reduced by one third. We saw a 25 per cent job reduction in that time.

Yet through that same period of time, we saw ever more money being given to the automotive industry. We saw more money being paid to make fewer cars and to sustain fewer jobs. It sounds like something out of *Catch-22*, where they paid Major Major not to grow alfalfa sprouts. It sounds like an EU subsidy arrangement, where they pay the farmers not to grow something. The arrangement in Australia under the Labor Party was that we kept paying more for automotive industry companies to employ fewer people and make fewer cars. That is no way to grow your economy, because over time you have fewer people employed and, of course, you have ever-mounting debt and tax burden on the rest of the economy. The problem with Labor's approach compared to ours is that the only way you pay those big multinationals is to tax everybody else more. The small businesses who could never get handouts from Labor had to pay more tax so that Labor could give more money away to the big businesses, who were shrinking anyway. It made no sense then and it would make no sense to continue with it now. It would truly be a case of throwing good money after bad.

That is why we have given a commitment to support the entire Australian economy and to make sure that every Australian business gets a chance to be as competitive as it possibly can. That is why we will be making sure that, as we move forward, we support investment absolutely, in helping those workers, in helping the communities adjust, in making sure the support is there for those in my home state and in Senator Carr's home state, which are particularly affected by the loss of these jobs, so that they can transform. But it has happened before. We have seen significant changes in the Australian economy over the last few decades and, with the policy settings of this government, we will successfully transition to better days again.

**Senator Madigan** (Victoria) (16:38): The demise of Australia's car industry will impact this country, including my home state of Victoria, enormously. We are watching the death throes of manufacturing. As this happens I worry for our workers, for their families and for the small businesses that are part of the automotive supply chain. The impact of the loss of Toyota, which follows closely similar announcements by Holden and Ford, goes beyond the economic. This is not about pie charts and statistics or about GDP and economic theory—the stuff of so many speeches in this place. This issue—the future of manufacturing in my home
state of Victoria—is about people. It is about real people, real skills, real jobs. It is about how people will put food on their tables, pay their mortgages and rents and raise their families. It is about how the fallout of failure will change the face of our communities and how those changes may affect the stability and cohesiveness of those communities.

Our government has failed the people of Victoria and the people of Australia, and what is our future, with an estimated 50,000 jobs in the balance? We only have to look at America to see a snapshot of what we will face if things continue this way. According to a recent report, the number of American workers who are low-wage and low-income earners jumped 94 per cent from 1979 to 2011, reaching 20.9 million workers. That means that one in seven US workers lives in a household whose main source of income is a low-paying job such as working as a retail sales assistant or a fast-food restaurant cashier. For a long time I have been warning of similar likely outcomes in Australia unless our government acts with urgency and with vision. Will thousands more Australian workers and their families be left to barely survive in low-wage, casual jobs—jobs with no certainty, with no sick pay, with no holiday pay and with little or no future? What are the Abbott government's plans for the post-manufacturing Australian economy? Jobs are not simply created or invented out of thin air. It is research and development that will create the jobs of the future. Our manufacturers need encouragement, support and a clear, bipartisan policy approach. They are looking for their government to act in Australia's interests. The great countries of the world manufacture goods; they do not survive simply by digging holes in the ground, by turning their country into a nation of drink waiters or by educating their competitors on how to bury them.

We need our manufacturing research and development industries here in Australia to provide for our future. Simply put, if we keep exporting these industries, we are exporting our future and that of future generations. I call for the government to step up on this issue, to tell us what its plan is for manufacturing in my home state of Victoria and the rest of the country, because I hate to think of the alternative if things are allowed to drift further in the current direction.

Senator GALLACHER (South Australia) (16:42): I rise to make a contribution to this matter of public importance debate. I listened intently to Senator Birmingham's contribution and I did not get any great sense of empathy for the workers and their families. I wonder what Thomas Playford—that icon of the Liberal Party after which the city of Playford is named—would think if he were to hear that contribution. He was critical in instigating and developing the manufacturing plant in the area.

We on this side get a fair bit of vitriol from Senator Brandis and others about our contribution and who we represent and where we are from. I did take a quick look at Senator Birmingham's personal CV, and I note that he has always been in politics. From university, he went straight into an adviser's job, and that is basically where he has lived his whole life. Knowing that made it a bit easier for me to understand the lack of empathy, the lack of passion, the lack of feeling for his own constituents in South Australia.

Thousands of workers at Holden are facing an uncertain future. Their families are worried. Their children are going to school concerned about whether or not their fathers have a job. Families have to explain that life goes on: 'We will progress through this.' There was a completely chilling lack of empathy for the thousands of workers in this situation. We in this place are duty-bound to represent our constituents. I was particularly struck by Senator
Birmingham's contribution, which was to the effect of, 'Let's wipe the board clean and promise a better future.' There are thousands of workers looking at redundancy, retraining, redeployment and relocation. On top of that, there are thousands of small business people who have depended on that workforce and their aggregate income. That small business might be a barber shop. I did read of a woman who has a business adjacent to the Holden plant which provides wedding dresses. She has now immediately relocated, because, she says, 'There's no money coming into this area and so I'd better get into another suburb.' There are thousands of small business people—if you listen to the other side these people are their constituents—who will be dramatically affected by the spin-offs of these terrible close-downs. The dry economic arguments really do not stack up.

I keep returning in this debate to the key point of the Allen Consulting Group report: automotive manufacturing in Australia receives around $500 million in government funding each year and for this investment the Australian economy is $21.5 billion larger for having an automotive manufacturing industry. On a per person basis, government assistance to automotive manufacturing is around $18, a very low figure by international standards. Those figures have been read out in the Senate previously. The $21.5 billion return equates to a net positive $934 per person. This government has come in without too many plans. They were an effective and brilliant opposition; they could tear down any policy; they could misrepresent any situation. Now they are in power and they have their hands on the wheel, and the first thing they do is say, 'No.'

Prior to Christmas, we left this place with the close-down of manufacturing of Holden motor cars. I am probably one of the last people—and certainly the last person in my family—who have never bought anything other than a Holden or a Ford. That loyalty is not shared by my children or my neighbours. I daresay even my wife drives a Mazda. There is nothing wrong with competition, but there is something wrong with just walking away from a very resilient, not heavily subsidised sector of manufacturing, which, as Senator Carr says, is not just about cars. It is about technology; it is about microchips; it is about plastics; it is about glass; it is about engines that are brilliant—engines that have emission standards—and braking systems which are top of the range.

The simple wipe-the-slate-clean approach of Senator Birmingham is to say, 'That's all done, we're not going to make cars here anymore. We'll just get them from overseas.' Let's think about that. We know there are very cheap cars made in India, but most recent studies say that, if you drove one and had a collision, you would not survive too well. We know that the Great Wall brand from China performs abysmally in terms of safety ratings. We know from personal experience and from independent agencies that we make a very good car—we make a startlingly good car. I personally drive a Ford, which I think is the equivalent of a BMW, but it is only about a quarter of the price. We know that, but we also know that what has really driven this position in the automotive manufacturing industry is the high dollar. We were exporting our Camaros to America when the dollar was at a much lower level; we were exporting cars to the Middle East when the dollar was at a lower level. Nothing has changed in respect of the technology or in respect of the quality of the cars produced. I daresay not a lot has changed in relation to industrial relations or the efficiencies of the manufacturing plants other than that they have endorsed change, accepted change, employed more robotics and become very much more efficient.
Today, there has been a disparaging of the union movement in this place. I would like to place on the record that the secretary of the Amalgamated Metal Workers Union in South Australia, John Camillo, has been driven all of his working life about employment for his members. And that has meant doing all sorts of things with every manufacturer he has come in contact with to save this industry. It is in his DNA; it is in his lifeblood. Building cars is something Australia was always going to do. Talking to John over Christmas was very disheartening.

I refer to Senator Birmingham's chilling economic view of wiping the board clean and creating a brand-new future. I did not hear in his short speech—maybe he will inform us later on—where these people are going to go. When will these people transition into this brand-new world that this government is going to create? Has he been out and spoken to people about their opportunities? I do not think so; I am not aware that he has been out to speak to people about it. There are many people who would be very grateful if he were to paint the same picture he has tried to paint here today—that the government is going to transition the economy into good jobs, more jobs, whatever.

Unfortunately, without manufacturing in this country we will not have R&D. This is a government without a science minister. We know that the R&D, which comes out of things like the automotive manufacturing industry, is a vast asset to the general economy of Australia. No workforce is static. There is, I think, a photographer in this place who did his apprenticeship at Holden in Elizabeth. He worked in the industry and he went on to take his skills into a different sphere. That is quite normal, but training people to a high standard and then having them take their skills into other sectors of the economy will be completely lost. Let me talk about the warehouse on the road. There are thousands of transport workers and operators currently carrying, exactly on time, every component that goes into a car. There is no great warehouse where these components are stocked; the warehouse is actually on the road—off the ship, on the road, out of the warehouse. What happens to all those people? They will probably start taking things off the wharf, but they will not be transporting components. It will be a much smaller task to transfer any number of cars off a ship to any place in Australia. But the components industry does not work that way. You have V8 motors rolling down the highway on a truck to go to an assembly line. All of that is going to disappear. If you throw in the fundamental offshoots to other sectors of the economy—like coffee shops and other small businesses like coffee shops—then it is really a disaster.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education) (16:52):
I commence my contribution today with a thought for the families who yesterday got the bad news from Toyota about their jobs. As I have mentioned before in this place, I have had personal experience of similar bad news in my family, and I do not think—despite the implications of some of those opposite—that there is a single person in this place who does not feel for people who have to go home and tell their families about the news they got yesterday at Toyota or last year at Holden or before that at Ford—or, might I add, before that at Mitsubishi; or before that at Nissan in Dandenong in the early 1990s; or at International Trucks; or at the Ford plant which used to be in the western suburbs of Sydney; or at the Leyland and Valiant plants which used to be in Melbourne. We always feel for those people.

We are hearing from a Labor Party which I do not recognise as the same one that existed in my youth. As the former Prime Minister John Howard outlined, the process of ending
protection and exposing Australia to the global economy—the economic liberalisation which has seen Australia become, if not a perfect economy, an economy which has withstood more shocks than any comparable economy around the world—in many ways started while the Labor Party were in office in the 1980s. The arguments which I have heard put here by Senator Carr and by Senator Gallacher are the very arguments which were completely dismissed, demolished, attacked and repudiated by people such as Bob Hawke and Paul Keating during their terms in government. It shows you how far the modern-day Labor Party have come that they put forward arguments in this place which many of them would remember were repudiated in the course of their own time in parliament or as active members of the Labor Party.

In spite of all the attempts at partisanship and crocodile tears opposite, let us look at Labor's record. In the last two years, as they chopped and changed, Labor broke promises worth nearly $1.5 billion in funding for car industry policies. That is a record unbeaten even by the previous, chaotic government. Senator Kim Carr in his book criticised the government of which he was a member, when he was a minister, for cutting the Green Car Innovation Fund. He wrote:

Unfortunately the Green Car Innovation Fund was abolished, leaving international company executives wondering just what they had to do to get a consistent government policy commitment in Australia.

That statement did not come from someone on this side; it came from the person who was the Labor minister concerned and who opened the debate on this matter of public importance. Two years ago Prime Minister Gillard announced $34 million in funding for Ford and said that it would create 300 new jobs. Yet 330 people lost their jobs eight months later—so it was just a cash handover. In March 2012, Prime Minister Gillard announced $215 million in funding for Holden and, with Premier Weatherill of South Australia, said the funding would 'secure Holden's future in Australia until 2022.' This was either incompetence or an intentional fabrication, because the evidence says otherwise.

Now we get to the bigger issue: the accusation by Senator Carr that somehow the loss of jobs at Toyota is the result of an ideological crusade by the government. I am going to quote the father, in many ways, of the liberalisation agenda which has seen Australia have such a strong economy. Bert Kelly, the former member for Wakefield, was accused of being an ideologue. But, when he was arguing against things such as tariffs, he said:

I do not dread government intervention . . . for ideological reasons. It is just because they are such messers.

Labor's history in the industrial portfolio illustrates the truth of this statement. They handed over cheque after cheque and all the while made not a whit of difference to prevent the downsizing of automotive companies in Australia. What Senator Carr will not reveal to the Senate and the Australian people is the limit for the Labor Party. At what point will they stop writing cheques? How much will the Labor Party contribute? How much will they hand over to other companies to protect a smaller number of jobs than were lost at Toyota? Their record is of abject failure.

It is time to say, despite the phrase 'co-investment' having come into common use through various people seeking government money and through the Greens and the Labor Party over the last few years, that there is no such thing as co-investment. If the taxpayer puts money into a corporation, they do not get a dividend, a say in running the company, the ability to turn
up to the AGM, or a vote on the remuneration report of the directors. There is no such thing as co-investment; it is a subsidy. Call it what it is and have the courage to mount the argument for it. We do subsidise some things in this country, but we do it on the honest terms of saying, 'This is an activity worth subsidising,' either for social reasons or, more rarely, for economic reasons. The term 'co-investment' for certain kinds of funding is being used by certain people who want to hide the fact that such funding amounts to subsidies for corporate operations.

We heard this afternoon in question time from the Greens, the party which bleats about corporate welfare and which, in our local governments and in the states, does everything it can to stop people using cars—including in the area where I live—by advocating things such as higher car taxes and congestion charges, all of which make the use of private motor vehicles harder. Yet they come in here and criticise the government for defending the taxpayer. Every cent that was available to the car industry six months ago is available now, but what is not being revealed by those opposite—and this was examined in detail in estimates—is that the accounting measure for the ATS and the $500 million mentioned by Senator Kim Carr was funding for future years, which was not being used because the volumes of car manufacturers had fallen so far. In other words, the ATS is partly a volume-based program. The same amount of money was available to GM and Ford this week as there was in December and as there was in July.

This government is trying to remove barriers to manufacturing—those costs imposed by those opposite, in concert with their Greens allies, that make manufacturing in Australia more expensive. Why on earth, no matter how marginal the cost, would we impose an internal energy tariff—the carbon tax—on every manufacturer in Australia? What it goes to show is that those opposite have absolutely no experience in business. In business, it is about the marginal choices you make. It is how you shave margins that is the difference between success and failure. It is how you shave off a tiny bit of the cost of complying with one of the new regulations brought in by the Labor Party and the Greens—such as the national OH&S laws, which made it harder for every smaller manufacturer around the country.

But the Labor Party do not understand that. They say, 'Oh, it is insignificant.' That betrays their complete lack of experience in running a business and employing people. Everyone who has been involved with or worked in a small business where you get to know your boss, on a farm or in any other form of small enterprise, knows that it is the marginal decisions that make the difference between success and failure. Those opposite do not understand that and that is why they do not care.

I also want to highlight the numbers being used by those opposite. We have heard them time and time again. I turn first to the comparison between the level of subsidy to the motor manufacturing industry in Australia and the level of subsidy in other countries. This idea that Australia has the lowest level of subsidy—because Labor are measuring it on a per capita basis—is a farce. According to the measure used by those opposite, if Australia took the current amount of subsidy and produced only one car with it, we would still have the lowest level of subsidy in the world for car manufacturing—because you are measuring per head of population. I will repeat that. The Labor Party are measuring the level of subsidy based on the number of people in Australia, not the number of cars we produce. Using the Labor Party's
measure, the level of subsidy if we only produced one car would be exactly the same as if we produced 100,000 cars. It is a flawed measure and they know it.

When you compare subsidy levels based on subsidy per unit of car production, we have the highest level of subsidy in the world. What the Labor Party will not tell us is how much higher it needs to be. Instead, we get this empty rhetoric, this venal political campaign that does not respect the sacrifices of those who have already lost their jobs in the decades of restructuring that started under Labor. It is all about politics and an attempt to find a diversion from the other issues which face the Labor Party, particularly their union mates. (Time expired)

**Senator XENOPHON** (South Australia) (17:02): No country is ever successful in the long term … without a really strong and vibrant manufacturing base. It's the foundation of all economic development.

That was said by Alan Mulally, the President and CEO of the Ford Motor Company. We know that just last year, under the Labor government, Ford made the decision to leave Australia. We know that Mitsubishi decided to leave Australia in 2008—also under the former government. That is something the current government is making much of. But, because there are only two remaining manufacturers standing, General Motors Holden and Toyota, there is now a greater duty of care for the government of the day. It is their responsibility to make sure that the industry remains alive—because, if you lose that industry, the consequences will be, according to Richard Reilly, the Chief Executive of the Federation of Automotive Products Manufacturers, 'devastating' and 'diabolical'.

It is all well and good for the government to say that Mitsubishi and Ford left under the former government's watch, but there is a greater duty of care now—we have to make sure that the supply chain does not collapse. That would cause great harm to the Australian economy. But that is what is happening here. That is why people like Richard Reilly, a good man who as Chief Executive of the Federation of Automotive Product Manufacturers knows firsthand what the impact will be, are speaking out.

This industry is an ecosystem. It is a big economic ecosystem which employs tens of thousands of Australians. We know that automotive component manufacturers employ something like 40,000 people, most of them in South Australia and Victoria. Those jobs will be lost. In my home state of South Australia, we have really good component manufacturers like ROH, Futuris Automotive Interiors, Multi Slide Industries, Tenneco Australia, TI Automotive, Toyoda Gosei Australia, SMR Automotive, and Precision Components. They have state-of-the-art facilities, but they need to be part of a supply chain. That supply chain will now collapse and that will have a huge impact on our economy.

Paragraph 4 of Toyota's media release refers to 'increased competition due to current and future free trade agreements'. I was wrong earlier when I asked a question in which I said that a Ford Territory costs about $40,000 here and about $100,000 in Thailand. I apologise. It is actually about $57,000 for the top-of-the-line model here and it costs over $100,000 in Thailand. Why? Because of non-tariff barriers. We have been mugs in the way we have negotiated these free trade agreements. We are causing great damage to our economy. We are laughed at internationally. They talk about us as the 'free trade Taliban' because we take such a literalist, purist approach to free trade—to the detriment of jobs in this country.
Let us talk about some of the cost inputs. I think Senator Abetz was right to talk about intervening in the dispute between Toyota and the union, because I think there should have been a bit more flexibility to allow the workers to have a say. But to blame unions and the workers, when you consider that labour costs only make up about 10 to 16 per cent of the cost of a vehicle, is really stretching it. Maybe there is scope for flexibility, but it would not have made much difference. What would have made a difference is the government committing to the co-investment. It might have cost an extra $500 million, but I suggest that this government will be forking out a hell of a lot more than that in welfare benefits to the many thousands of Australians who will lose their jobs and will not be able to get a new one. This is very serious stuff. Let us talk about the carbon tax. Let us get rid of it—but let us also achieve lower electricity costs by making sure that the electricity industry is not inefficient. These are important issues.

I want to conclude with an observation. From the mid-1990s, for almost a decade, John Howard had the so-called 'Howard battlers' behind him—hundreds of thousands of people who, up until then, had been Labor voters but who voted for John Howard because they felt that he was making good decisions. They felt safe with his economic management. I suggest that, as a result of what we have seen today and other decisions this government has made, those Howard battlers will turn into people who will battle against the Abbott government.

Senator JACINTA COLLINS (Victoria) (17:07): I thank Senator Xenophon for raising the critical issue of the government's duty of care. Senator Birmingham has come back into the chamber, and I listened to Senator Gallacher earlier, and the suggestion is that we can wipe the slate clean now—it is a new order and a new age, or, if you pick up Mr Hockey's comments, the age of entitlement is over. They completely neglect the government's duty of care. Immeasurable irresponsibility has been demonstrated in the way the Australian government has been dealing with industry policy not only in the automotive area but also in food processing. We continue to ask: where is there any consideration of the national interest?

Putting aside some of the cheaper rhetoric in Senator Ryan's speech, his contribution highlighted for me the debate that must be going on in the Liberal-Nationals coalition at the moment. Senator Ryan says we should call it a subsidy. I do not care whether you call it co-investment or subsidy; the point is that the government determines in the national interest to invest in activities that support the economy. I understand that in the Liberal Party there are some who think that there should be no government role at all. That debate is occurring in the coalition at the moment. The victims of that debate are starkly evident. As Senator Xenophon just pointed out, the situation while this government tries to sort out what its industry policy should be is diabolical.

Let us consider a few of the facts. For every one dollar of government support, Toyota currently spends at least $20 in its Australian manufacturing operations. That will go. Fifty thousand direct Australian jobs in the automotive industry will be lost because of this announcement and, as others have highlighted—Senator Gallacher particularly—200,000 jobs which rely indirectly on the automotive industry will also be lost. The impact on our economy of this government's approach to the automotive industry—and this is without thinking about food processing as well—is diabolical.

Senator Xenophon: The road to recession.
Senator JACINTA COLLINS: Indeed, they are on the road to recession. The approach to economic management being exhibited is completely irresponsible. We talk about co-investment or, to pick up Senator Ryan's comments, subsidy, because that is what governments around the world do—they compare the benefits of supporting one industry or another with the impact on the economy overall of losing that activity. Jobs, manufacturing, research and development and a skilled labour force all contribute to a vibrant and healthy economy. It is difficult to believe that Australia will be any better off without an automotive industry. I have been in industry policy debates involving coalition colleagues in years gone by, and we have talked about the benefits of maintaining an automotive industry—the importance for skilling and defence, for instance. I have mentioned food processing. We need to contemplate food security issues as well.

This government, Mr Hockey and Senator Cormann have failed to offer any cogent explanation for why they are deciding to intervene in one case and not another. The suggestion that it is Coca-Cola Amatil as opposed to Cadbury or a small seafood operator in Tasmania simply does not cut the mustard. This government needs a cogent industry policy. It does not have one at the moment. All we hear is glib rhetoric—let's blame the workers, let's blame the workers' conditions, let's suggest that these workers do not have a right to expect a job that pays somewhere around $50,000 or $60,000 a year, let's suggest that there is something wrong with the workers in these cases, as opposed to addressing the need for a cogent industry policy.

We have heard Mr Abbott make incorrect references to enterprise agreements and, as I mentioned before, Mr Hockey has said that the age of entitlement is over. I do not know any Australians who really do think that they are in the age of entitlement but to suggest that workers do not deserve good jobs is rubbish. (Time expired)

Senator BOYCE (Queensland) (17:12): It certainly is rubbish to suggest that workers do not deserve good jobs but unfortunately you do not get good jobs in bad industries that are not going to survive or can only survive while being propped up by the government. I would have thought an unsustainable job was worse than no job at all. This government is very concerned about doing what it can to assist workers who, over the next three years, will lose their jobs in the automotive industry and in the downstream areas of the automotive industry. However, it is laughable for the opposition to suggest that this is our fault or our problem. As they so often illogically do—and it is cruel to the workers who they allege they represent—they are misrepresenting the truth and misrepresenting the real situation. Under Labor, the last government this country had, one manufacturing job was lost every 19 minutes.

I would like to refer to a couple of examples of the previous government's automotive industry policy. In 2012, Ms Gillard announced that the government would give $34 million to Ford, saying that it would create 300 new jobs. Within eight months, 330 employees had lost their jobs at Ford. Ms Gillard announced a $215 million assistance package for Holden, saying that that would secure its future in Australia until 2022. Last time I checked, we were not up to 2022. Yet, within six months of Ms Gillard's announcement, 670 jobs were gone. Then, of course, part of their brilliant industry policy strategy was to hit the car industry with a $1.8 billion fringe benefits tax slug, just when it looked as though the industry might actually take advantage of some of the money that the then government had thrown at them. There was no logical reason to do that. There is no logical reason to do anything other than
what this government is doing to maintain and build manufacturing in Australia. We are going to improve the manufacturing industry across the board in Australia, not just for the big firms that happen to have senior union reps who can go a-whining to the opposition. We are going to do it by getting taxes down, getting rid of regulation and getting productivity up.

Twenty years ago, I could have stood here and said, 'I, as a national manufacturer …' I cannot say that anymore because our family business, which is almost 90 years old, is now a manufacturer, importer and distributor. The reasons that we had to go down that path are exactly the same reasons that industry is hurting right across the board in Australia: you have to adapt, change and learn to function within the environment you have, not listen to the untruths and exaggerated nonsense from the opposition suggesting that somehow the car industry could have been maintained as it was. It could not be maintained as it was. That is very, very basic. You just have to look at some of the figures that come from the Productivity Commission, for example. In June 2012, the effective assistance rate was about four per cent for manufacturing and about three per cent for agriculture; but, for motor vehicles, it was nine per cent—an effective assistance rate of nine per cent, an unsustainable rate that was going up, not down, under the stewardship of the people who allegedly care about jobs. Those jobs could not continue to exist. Sustainability does not exist in an industry where the government help rate is nine per cent.

We will make a sustainable industry possible. We will assist the firms to have a broad-based economic approach through good regulatory reform and by getting rid of some of the impediments to workplace flexibility. (Time expired)

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

MINISTERIAL STATEMENTS

Korea-Australia Free Trade Agreement

Senator BIRMINGHAM (South Australia—Parliamentary Secretary to the Minister for the Environment) (17:17): On behalf of the Minister for Trade and Investment, I table a ministerial statement on the conclusion of free-trade-agreement negotiations with Korea.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (17:18): by leave—I move:

That the Senate take note of the document.

We are here to discuss the ministerial statement on the conclusion of the free-trade negotiations with the Republic of Korea that the Minister for Trade and Investment made in the other place. Sixty-two days ago, that statement was made. And, 62 days ago, when the minister made the statement, Labor welcomed the progress in the negotiations for a free trade agreement with the Republic of Korea and urged the minister to release the text of the agreement. Well, 62 days later, we are still waiting. In fact, it is 69 days since the Prime Minister stood on the floor of the House of Representatives and told the Australian people that the agreement had been 'successfully concluded'. But, 69 days after the Prime Minister made that statement, we still have not seen the text.

Labor do recognise that reducing barriers to trade can boost economic growth and create Australian jobs, and negotiations on a bilateral agreement with the Republic of Korea were
initiated by our government in 2009. In government we also focused on the opportunities and the challenges of this the Asian century and acted to deepen and enrich our relationships in the region, including through trade. The Republic of Korea is our third-largest export market, and a bilateral trade agreement presents significant opportunities for Australian exporters and Australian workers. We welcome the opportunities an agreement could present for our exporters in both goods and services, and note in particular the potential gains for beef producers.

The fact is an agreement will present challenges for a number of our industry sectors, including the textile, clothing and footwear sector, the steel sector and the automotive sector. As senators would know, sadly, prior to the minister's statement in the House, Holden announced it would cease its manufacturing operations in Australia; and, sadly, yesterday Toyota also announced its intention to cease manufacturing in Australia. Toyota's announcement made reference to the impact of free trade agreements. In Labor's view, the full impact of the agreement with Korea on our auto sector will need to be carefully assessed. Unfortunately, despite the passage of 62 days since this statement was first tabled in the other place, we cannot make that assessment, nor can the Australian people, because the government has still not released the text of the agreement.

Today, in question time, the Leader of the Government in the Senate made reference to the potential benefits for automotive component manufacturers, but no-one can make a judgement about the claims he made because the terms of the agreement remain secret. Australians do not know the detail of what has been agreed by its government, our government, in relation to the auto sector. What we do know is that this is the same government that has taken $500 million support from the auto industry between now and 2015, and that this is the same government whose ministers publicly goaded Holden to leave—the same ministers who have sat on their hands whilst Toyota reached the same decision. The tens of thousands of workers in the auto industry and its suppliers simply cannot trust this Prime Minister or this Liberal Party. They do not care about industry and they do not appear to care whatsoever about Australian jobs. The reality is that this Prime Minister has not lifted a finger to save Australian jobs or to find ways to create new opportunities. He has become part of the problem rather than part of the solution.

In the minister's statement, he noted the government's decision to agree to an investor-state dispute settlement, or ISDS, mechanism. Labor has grave reservations about the inclusion of ISDS mechanisms in this and other bilateral trade agreements. These mechanisms give foreign corporations the right to take action against our governments when they make public-interest decisions that adversely affect their commercial interests. Australian taxpayers, for example, are already footing the bill for such a challenge launched by Philip Morris Asia against our world-leading plain packaging laws. We are told by the minister that ISDS mechanisms in the Korean agreement and other agreements will include so-called safeguards—but without any public discussion or scrutiny of these safeguards. In fact, 62 days ago the minister did not outline the so-called safeguards in the proposed ISDS provisions in the Korean free trade agreement, and he has not subsequently done so.

In a newspaper piece published earlier this week, the minister attacked critics of the government's trade policy as 'peddlers of misinformation'. Instead of attacking those who question him, the minister should recognise legitimate concern in this parliament and in the
Senator WHISH-WILSON (Tasmania) (17:25): We have heard significant debate and rhetoric today about the unfortunate decision taken by Toyota yesterday. Some economists are already talking about a recession in Victoria in 2017, following the simultaneous shutdown of both Ford and Toyota. I certainly hope it does not come to that—and we have all got a lot of work ahead of us to prevent it.

I want to focus on the free trade aspect of the decision announced by Toyota yesterday. I quote directly from their media release:

... with one of the most open and fragmented automotive markets in the world and increased competitiveness due to current and future free trade agreements, it is not viable to continue building cars in Australia.

The topic of free trade is very seldom debated; it is very seldom in the public realm. Certainly, it does not seem to be a popular topic for the media either. There is this implicit assumption that somehow free trade deals are always good for us, in whatever country we
live. I would like to spend some time debunking that notion, but unfortunately I do not have enough time today. However, I want to talk specifically about why we can use this as an opportunity to have a bigger national discussion on free trade deals and how we need to prevent this sort of thing from occurring in the future.

In previous years, we have heard Mitsubishi, Holden and Ford talk about the impacts of free trade deals. They have been vocal, for example, on the unilateral deal that we did with Thailand, where we pushed agricultural product at the expense of their industries. Whether you believe it or not, that is the rhetoric that has been coming out of the car industry. Minister Robb had an op-ed in the *Australian* newspaper yesterday in which he exorted the benefits of trade agreements. He said that free trade agreements 'can deliver truly enormous gains for Australia'. This is similar to Labor's view. There is no doubt that trade agreements can deliver jobs, investment and wealth, but they can also have negative impacts on industries. There is actually a logic inherent in trade agreements that is often overlooked.

There are always trade-offs inherent in trade agreements. Negotiation, by definition, means trade-offs. Free trade has winners and losers. Who picks those winners and who picks those losers is the crucial question here: negotiators in secret deals behind closed doors? What is the logical extension of those negotiations? Who feeds the information to our very good DFAT negotiators who have been in secret trade talks on the TPP or on the Korean free trade deal for three or four years?

The way I see the world working, especially during my short period of time in the Senate, is that it tends to be those special interest groups who get into your office and push their agendas. This is how the world has always worked. Free trade agreements are the ultimate feast for friends with special interests. For example, I had some very fine gentlemen from the meat and livestock industry in my office recently. We were discussing free trade deals to enhance their export overseas. They said, 'Why have you got an issue with the TPP?' I listed whole areas of public interest which the Greens have particular issues with—for instance: health regulations; the PBS being under threat and how new patent provisions can cause the price of pharmaceuticals to rise; and freedoms being curbed by draconian copyright provisions et cetera. These are general matters of public interest. One of the gentlemen shrugged his shoulders a little bit nervously and said, 'Well, I don't know anything about that; I'm here to sell more beef.'

That is fine. He is doing a good job representing the people that he has come to parliament on behalf of. But the point is that there are much broader areas of public interest that impact under free trade deals—and, once again, that is something we do not ever seem to have a discussion on. It is not just me and a few people out there in civil society who are saying this. Treasury and the Productivity Commission also agree with this proposition. Treasury, in their incoming government brief in 2010, stated:

Current approaches to preferential trade agreements, FTAs, are not meeting Australia's needs. The proliferation of FTAs has not built support for multilateral liberalisation and is delivering only modest preferential market access outcomes at the cost of reduced government policy reform flexibility.

In 2010 the Productivity Commission also released a report into bilateral and regional trade agreements. In that report they recommended that the Australian government should 'improve the scrutiny of the potential impacts of prospective trade agreements and opportunities to reduce barriers to trade and investment more generally. It should commission and publish an
independent and transparent assessment of the final text of the agreement at the conclusion of negotiations but before an agreement is signed. That is exactly in line with the order for the production of documents that the Greens and Labor pushed through the Senate earlier this year to compel the government to provide a draft text to the public for scrutiny prior to this going to parliament and prior to it being signed by cabinet—before the issue becomes political, before the government give it their stamp of approval.

I understand that a big, complex trade deal that covers 29 chapters and just about every aspect of economy, our community life and our environment is going to take a long time to negotiate. But if that is the logic for doing it in secret—and I do not believe it is justification—then at least release it and make it available for public scrutiny prior to it being signed by cabinet.

So, two premier economic advisory institutions have both expressed strong reservations about the trade path Australian governments are going down—and this includes Labor prior to the current Liberal government. Despite this advice, and concerns expressed by civil society, it is clear from the behaviour of successive governments that they are uncomfortable with the notion of transparency in trade agreements.

Without transparency the Australian people have no insights into the trade-offs inherent in these types of agreements. For example, lack of transparency allowed the Howard government, when negotiating the Australia-US free trade agreement, to extend drug patents, meaning 70 per cent of the drug patents expire later in Australia than in other countries. This means more expensive pharmaceuticals and the suppression of Australia's generic drug manufacturing industry. I have met these guys, and that is exactly what they are telling me. There may have been a legitimate reason for this trade-off. However, the government did not have to present its case. So who makes these trade-offs in our name? Who are the decision makers? We will never know the reason we agreed to that provision.

Minister Robb also wrote yesterday that he would not sign up to anything that does not materially advance the national interest. The national interest is a contested concept. That is why there are different political parties in this chamber today. The national interest is a very broad area, and politics and the role of parliament is an ongoing test of national interest. I would expect that Minister Robb's concept of national interest is very different from mine and that of many Australian voters. For example, Minister Robb has made it clear that he supports a free trade deal with Japan, and the necessity of that, over putting pressure on the Japanese government and causing a diplomatic incident in relation to whaling and preventing the slaughter of whales in the Southern Ocean. That is something most Australians feel very strongly about. More than nine in 10 Australians do not want to see Japanese whaling fleets in our Southern Ocean. The Liberal government had a very strong policy, going into the last election, to prevent that from happening by sending a Customs vessel.

It was only this week that Minister Robb went on record and admitted that our priority is a trade deal with Japan and not jeopardising that. That is a matter of public interest to this country that has not been incorporated into looking at the costs and benefits of these agreements. Who can put a value on the death of whales? For people like me, there is no economic value that can justify that. No doubt, people in the agricultural industry will feel differently.
Transparency is very, very important, particularly when free trade deals in their current form cover such a broad area of public interest. We are not just dealing with traditional exports and imports of goods and services like we used to, mostly around agriculture. We are now dealing with investment, the internet, access to generic medicines, and also the ability for a new world order to emerge from these types of deals where corporations have the ability to seize sovereign governments if they believe a decision is not in the spirit of a trade deal or will impact their future profits. To most Australians, that is totally unacceptable.

The Greens will continue to call for transparency. We call on the government to release not only the text of this agreement, as it has done for the Trans-Pacific Partnership Agreement, but also the modelling that outlines the costs and benefits of this trade deal. This is something we negotiated with Labor last year for any future free trade deals—that these costs and benefits had to be assessed upfront. We have been calling for this for months. It is time to release the modelling, as well as the draft text, so that this country can scrutinise it and we can put the public interest on a level with special interests in this country. While I agree that special interests are sometimes in line with public interest, they are not always.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (17:36): I rise to make a few brief comments following the tabling of the statement from Minister Robb. In relation to trade—and I speak as a farmer as much as a minister in this building—one of the things we realise as farmers in this country is that we are an exporting nation. Because, as farmers, we do not have the population they do in the United States, where they are very much a nation of consumption of their agricultural commodities, we have to export, and we recognise that. So we do understand that we need to put in place trading arrangements with other nations that are going to facilitate our agricultural communities and our agricultural businesses.

I certainly do take note of the previous speaker's contribution that the FTA is not in the national interest. I can tell you that the agricultural sector which stands to gain significantly from this free trade agreement does believe it is in the national interest. I will put on record some of those things. The 40 per cent tariff on beef will be eliminated over 15 years, not 18 years, because it was this country that pushed for the same deal as the United States. The 22½ per cent tariff on lamb and sheep meat will go. Tariffs on dairy products ranging from 36 to 176 per cent will be eliminated. And the three per cent tariff on sugar, in a market currently worth nearly $500 million to Australia, will be eliminated as soon as the FTA comes into effect. The tariffs on wheat, seafood items, wine, chocolate, beer, a range of horticulture, pharmaceuticals, canned fruit—and the list goes on—will all go.

Now, I take it that there are some views around the FTA that may well be somewhat different in nature, as we have seen from the contributions in the chamber. But, if we are going to look to the future, and if we are going to look at where we want agriculture in this nation to be in 30 and 40 and 50 years' time, how do we put in place an environment that
allows our farmers to prosper and to be sustainable? We have to look at our trading arrangements with other nations around the world, and that includes putting in place free trade agreements where they are appropriate and where they are of benefit to our agricultural producers. Somebody who does know this probably as well as anybody in the building is my colleague Senator Back, whom I have spent many an hour with on the Senate Standing Committees on Rural and Regional Affairs and Transport—which, sadly, I am no longer part of—looking at precisely these types of issues. If we are going to have sustainable farming into the future then we need to have a long-term vision. It is this side of the chamber, it is this coalition government, that has a long-term vision for agriculture in this nation.

Unfortunately, under the previous government we saw very much a disconnect between the government and the agricultural sector in what was needed in terms of that agricultural sector going forward. We need look no further than the live-export debacle, when we saw the knee-jerk reaction from the previous Labor government in banning live exports. That is a singular, most devastating decision for our agricultural farm-producing sector. It was just appalling. We have the opportunity now, with a coalition government, to finally have some long-term vision in where we want to place our agricultural sector in the world and in what decisions need to be made to make that agricultural sector sustainable. In light of that, we actually understand that that forward-thinking needs to contain agreements with other nations around the world that are going to provide that sustainability and that opportunity of access and that return to our farm sector that they so desperately need.

I commend the minister, Mr Robb, for the work that he has done and I also commend the supporting work from others in the coalition that I am sure was behind that to make sure that we have the best trading environment in place for our farmers, who deserve the recognition of this government for what they do for this economy and this nation. For too long our agricultural sector has been ignored. It is about time that they were given the recognition that they deserve for the contribution that they make not only to the social fabric of this nation but to the economy as a whole. It is generation of real wealth. So we, as a government, need to take all the decisions we can to provide them with some sustainability. The agreement around the Korean FTA is certainly an example of that.

Question agreed to.

DOCUMENTS

Tabling

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (17:42): I present documents listed on today’s Order of Business at item 14, presented to the President, Deputy President and temporary chairs of committees since the Senate adjourned on 12 December 2013.

The list read as follows—

Documents presented out of sitting

COMMITTEE REPORTS (pursuant to Senate standing order 38 (7))

1. Rural and Regional Affairs and Transport References Committee—Review of the citrus industry in Australia—Report, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 16 December 2013]
2. Community Affairs Legislation Committee—Report—Social Services and Other Legislation Amendment Bill 2013—Additional information. [Received 23 December 2013]

GOVERNMENT RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS (pursuant to Senate standing order 166)

1. Foreign Affairs, Defence and Trade Legislation Committee—Progress report no. 1—Implementation of the Defence Trade Controls Act 2012. [Received 8 January 2014]

2. Environment and Communications References Committee—Report—The feasibility of a prohibition on charging fees for an unlisted number service, dated February 2014. [Received 6 February 2014]

GOVERNMENT DOCUMENTS (pursuant to Senate standing order 166)

1. Fisheries Research and Development Corporation (FRDC)—Report for 2012-13. [Received 17 December 2013]


3. Australian Fisheries Management Authority—Report for 2012-13. [Received 18 December 2013]

4. National Health and Medical Research Council (NHMRC)—NHMRC Licensing Committee—Report on the operation of the Research Involving Human Embryos Act 2002 for the period 1 March to 31 August 2013. [Received 18 December 2013]

5. Environment Protection and Biodiversity Conservation Act 1999—National and Commonwealth Heritage Lists—Report for the period 1 July 2008 to 30 June 2013. [Received 20 December 2013]

6. Productivity Commission—
   Report No. 67—Safeguards inquiry into the import of processed fruit products, dated 12 December 2013. [Received 20 December 2013]

   Report No. 68—Safeguards inquiry into the import of processed tomato products, dated 12 December 2013. [Received 20 December 2013]

7. Treaties—Bilateral—
   Exchange of Notes, done at Canberra on 21 November 2013, constituting an Agreement between the Government of the United States of America and the Government of Australia to amend the Agreement concerning Space Vehicle Tracking and Communication Facilities of 29 May 1980, as amended—Text, together with national interest analysis. [Received 20 January 2014]

   Agreement on Scientific and Technical Cooperation between the Government of Australia and the Government of the Socialist Republic of Viet Nam—Text, together with national interest analysis and annexure. [Received 20 January 2014]

8. Australian Centre for International Agricultural Research (ACIAR)—Report for 2012-13—Erratum. [Received 21 January 2014]


10. Local Government (Financial Assistance) Act 1995—Report for 2010-11 on the operation of the Act, including maps of state and territory local government areas. [Received 29 January 2014]

11. Executive Director of Township Leasing—Report for 2012-13. [Received 29 January 2014]

12. Tax expenditures statement 2013, dated January 2014. [Received 30 January 2014]


14. Gene Technology Regulator—Quarterly report for the period 1 July to 30 September 2013. [Received 4 February 2014]
15. Australian Customs and Border Protection Service—Report for 2012-13—Correction. [Received 5 February 2014]

REPORTS OF THE AUDITOR-GENERAL (pursuant to Senate standing order 166)
2. Report no. 13 of 2013-14—Financial statement audit—Audits of the financial statements of Australian Government entities for the period ended 30 June 2013: Across Agencies. [Received 18 December 2013]
5. Report no. 16 of 2013-14—Performance audit—Administration of the Smart Grid, Smart City Program: Department of the Environment; Department of Industry. [Received 29 January 2014]
7. Report no. 18 of 2013-14—Performance audit—Administration of the Improving Water Information Program: Bureau of Meteorology. [Received 5 February 2014]

RETURN TO ORDER (pursuant to Senate standing order 166)
Transport—WestConnex motorway project—Documents relating to the WestConnex motorway project provided to Infrastructure Australia by the New South Wales Government—Order for production of documents—Document (motion of Senator Rhiannon agreed to 12 December 2013). [Received 23 December 2013]

STATEMENTS OF COMPLIANCE WITH SENATE ORDERS (pursuant to Senate standing order 166)
Indexed lists of departmental and agency files (continuing order of the Senate of 30 May 1996, as amended on 3 December 1998):
- Department of the Prime Minister and Cabinet. [Received 23 December 2013]
- Treasury portfolio. [Received 30 January 2014]

In accordance with the usual practice and with the concurrence of the Senate government responses will be incorporated in Hansard.

The responses read as follows—

Australian Government

Senate Standing Committee on Foreign Affairs, Defence and Trade Legislation Committee
Progress Report No.1 into the Implementation of the Defence Trade Controls Act 2012
Government Response
December 2013

Recommendation 1
The committee recommends that DECO examine the timeliness of processing applications and provide a report to the committee prior to the committee’s next six-monthly report. The committee is particularly interested in instances in which there have been delays in processing applications, and what
mechanisms are in place to ensure the implementation of the Act does not cause problems in processing applications.

**Government Response**

**Agree**

Australia takes seriously its international counter proliferation obligations, using Australian export control laws to ensure Australia exports responsibly. The Defence Export Control Office (DECO) conducts a robust case-by-case assessment process on all applications to export:

- goods controlled for export under Regulation 13E of the *Customs (Prohibited Exports) Regulations 1958*;
- non-regulated goods or services that may be prohibited for export under the *Weapons of Mass Destruction (Prevention of Proliferation) Act 1995*; and
- non-regulated goods that may contribute to a military end-use that would prejudice the security, defence or international relations of Australia, which may be prohibited under section 112BA(1) of the *Customs Act 1901*.

Every effort is made to assess applications within the Government's time frames, and the progress of individual cases is closely monitored.

- For goods controlled under Regulation 13E of the Customs (Prohibited Exports) Regulations 1958 DECO aims to finalise cases within 15 working days for routine applications, and within 35 working days for applications requiring interagency referral. In 2012, DECO assessed 2960 export applications. Of these 76% were completed within 15-20 working days, 15% were completed within 20-25 working days, 5% were completed within 30-35 working days, and 4% were completed over 35 working days.
- For goods or services which may be prohibited for export under the *Weapons of Mass Destruction (Prevention of Proliferation) Act 1995* and non-regulated goods that may contribute to a 'military end-use', DECO aims to finalise assessments within 15 working days for routine applications and 35 working days for those requiring interagency referral. In 2012, DECO conducted 253 assessments of non-regulated goods. Of these 86% were completed within 15 working days, 10% were completed within 35 working days, and 4% were completed over 35 working days.

DECO provides a fortnightly report to the Minister for Defence and Defence senior management, showing the status of all applications referred for interagency consideration. These are complex and sensitive cases that are pending advice from several agencies, and/or additional information from the applicant. The complexity of these cases is generally due to the sensitivity of the items, the end-user and/or the end-use destination.

Applicants are consulted early and throughout the process and are provided the opportunity to present all relevant information. Where it is determined that an application requires interagency consultation, applicants are provided written advice explaining the process and that time frames may extend beyond 35 days. Applicants are provided with regular updates throughout the process.

Regarding the Committee's question about mechanisms that are in place to ensure the implementation of the Act does not cause problems in processing applications, the reporting and monitoring referred to above is key to ensuring timeliness, as is the applicants' constructive and responsive participation. Ministerial and senior official oversight of processing times and sensitive cases provides visibility and the ability to intervene if performance reduces. Defence will continue to ensure that appropriate resources are allocated to deliver both existing regulatory responsibilities and to implement the new strengthened export controls under the *Defence Trade Controls Act 2012*.

Defence is working closely with the Strengthened Export Controls Steering Group to ensure that strengthened export controls are implemented in a way that minimises burden for regulated parties, and

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that is manageable and sustainable from a regulatory perspective. In May 2013 DECO introduced an online application processing system that will support the requirements of both the existing and new regulation.

Defence acknowledges the Committee's comments about the importance of open and effective communication at paragraphs 2.13-2.18, 2.24 and 3.2, and in Senator Ludlam's additional comments. Steering Group members, the Defence Export Control Office, and representatives from the Department of Innovation are communicating with stakeholder groups, including sectoral peak bodies. The assertion at paragraph 2.16 that Steering Group members have been required by Defence to sign confidentiality undertakings is not correct. The Steering Group has itself agreed without any requirement being proposed by Defence that official comment should be limited to the Minister for Defence and the Chair of the Steering Group, and also agreed that other Steering Group members are able to (and do) communicate with their stakeholder constituencies. Information about the Steering Group's progress is regularly added to its website following every meeting. At its 20 June 2013 meeting, the Steering Group considered a stakeholder engagement plan, which outlines regular communication activities over the two year transition period. This plan is publicly available at https://exportcontrols.govspace.gov.au/kommunikation. Defence will work with stakeholders to progressively refine and implement this plan.

Detailed information on the implementation of strengthened export controls to date is contained in the Steering Group's first report on progress to the Minister for Defence and Minister for Research, which was provided to the Committee on 19 August 2013, and is publicly available at https://exportcontrols.govspace.gov.au/steering-group/secsg-reports.

Defence would welcome the opportunity to brief the Committee on the progress of strengthened export control implementation to date, and next steps. Defence will also work with the Committee secretariat to ensure that the timing of future six monthly reports are aligned, so that in future the Committee can consider the Strengthened Export Controls Steering Group's six-monthly report before releasing its own report.

Senate Environment and Communications References Committee Inquiry into the feasibility of a prohibition on charging fees for an unlisted number service
Australian Government Response to the Committee's Report
February 2014
Introduction
On 28 February 2013 the Senate referred an inquiry into the feasibility of prohibiting the charging of a fee for an unlisted number to the Senate Standing Committee on Environment and Communications for inquiry and report by 15 May 2013.

The terms of reference for the inquiry covered the feasibility of a prohibition on the charging of fees for an unlisted number service, with particular reference to:
(a) recommendation no. 72.17 contained in report no. 108 of the Australian Law Reform Commission on Australian privacy law and practice;
(b) whether the payment of a fee unduly inhibits the privacy of telephone subscribers;
(c) the likely economic, social and public interest impact for consumers and businesses, carriage service providers and the White Pages directory producer, if the charging of fees for unlisted (silent) number services was prohibited;
(d) the implications of such prohibition for the efficacy of the national public number directory; and
(e) any other relevant matters.
The committee received 18 submissions and one supplementary submission from a range of consumer and privacy advocacy groups, the telecommunications industry, the Office of the Australian Information Commissioner (OAIC) and the Australian Communications and Media Authority (ALMA).

On 15 May 2013, the committee tabled its report to the President of the Senate. The report contains:

- two recommendations (these are discussed below)
- a Dissenting Senators Report from Senator Cameron, Senator Bilyk and Senator Ludlum, noting their disagreement with Recommendation 1 of the report.

**Australian Government Response to the Committee's Recommendations**

The Australian Government has considered the committee's report and is pleased to provide the following response. The Senate committee's recommendations are addressed in order.

**Recommendation 1**

2.50 The committee recommends that the Telecommunications Act 1997 not be amended to prohibit the charging of a fee for an unlisted (silent) number on a public number directory.

**Australian Government Response**

The Government accepts this recommendation.

Developments within the telecommunications industry have largely negated the need for regulatory intervention to abolish fees being charged for silent lines.

Key developments include:

- Access to an unlisted (silent) number service remains available to consumers free of charge (for example, Optus do not charge any fees for silent numbers). In addition, the cost and difficulty associated with switching providers is reducing with the rollout of the National Broadband Network.

- Increasingly, consumers are substituting fixed line services in favour of unlisted mobile phone services and this is alleviating the issue for many consumers. The ACMA Communications Report 2011-12 notes a continued decline in fixed line services and a continued growth in mobile phone uptake. By June 2012, mobile services in operation in Australia had reached 30.2 million compared to 10.44 million fixed-line telephone services. Mobile phone services are unlisted by default within public number directories under the co-operative industry code, the Integrated Public Number Database (IPND) Industry Code (ACIF C555:2008).

- Telstra has waived fees for silent lines for eligible vulnerable consumers, such as victims of domestic violence.

**Recommendation 2**

2.54 The committee recommends that the Australian Communications and Media Authority produce relevant material for telecommunications users that explains where their personal information is published and how it may be made private.

**Australian Government Response**

The Australian Government accepts this recommendation and considers it will complement ALRC's recommendations 73-10 and 73-11, which call on the ACMA to develop and publish guidance and educational material on:

- how privacy is regulated within the telecommunications industry
- how an individual can make a complaint regarding their privacy
- when and how 'consent' is used in the context of privacy-related regulation.

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1 ACMA Communications report 2011-12, pages 27, 29.
Ordered that the Rural and Regional Affairs and Transport References Committee report be printed.

**Senator McKenzie** (Victoria—National Whip in the Senate) (17:44): I move:
That consideration of the committee report and government responses tabled earlier today be listed on the Notice Paper as separate orders of the day.
Question agreed to.

**PARLIAMENTARY REPRESENTATION**

**Election Petition**

The **Acting Deputy President** (Senator Gallacher) (17:43): For the information of senators, I present an order from the Court of Disputed Returns dismissing an election petition in respect of the election of senators for the state of Western Australia.

**DOCUMENTS**

**Responses to Senate Resolutions**

**Tabling**

The **Acting Deputy President** (Senator Gallacher) (17:43): I present responses to Senate resolutions as listed at item 15 on today's Order of Business.

*The list read as follows—*

Acting Premier of Western Australia (Dr Hames), Premier of New South Wales (Mr O'Farrell), Premier of South Australia (Mr Weatherill) [2], Premier of Tasmania (Ms Giddings) to a resolution of the Senate of 11 December 2013 concerning the protection of nationally important species and wilderness places

Director, Indirect Tax, Australian Taxation Office (Ms Zeitlhofer) to a resolution of the Senate of 12 December 2013 concerning taxation and mobile home parks and attachment

Minister for Foreign Affairs (Ms Bishop) to a resolution of the Senate of 2 December 2013 concerning the arrest of persons from the *Arctic Sunrise*

Minister for Immigration and Border Protection (Mr Morrison) to a resolution of the Senate of 10 December 2013 concerning detention facilities

Minister for Immigration and Border Protection (Mr Morrison) to a resolution of the Senate of 11 December 2013 concerning whaling

In addition I present a letter from the Minister for the Environment, Mr Hunt, concerning the protection of nationally important species and wilderness places.

**Senator Nash** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (17:44): I table a document responding to the resolution of the Senate of 11 December 2013 concerning the Trans-Pacific Partnership Agreement.

**DOCUMENTS**

**Arctic 30**

**Senator Milne** (Tasmania—Leader of the Australian Greens) (17:44): by leave—I rise to take note of Minister for Foreign Affairs Julie Bishop's response to a Senate motion regarding the *Arctic Sunrise* that was agreed by the Senate on 2 December, and I move:

That the Senate take note of the document.
I remind the Senate: this motion, which was carried, supported the right to freedom of assembly and peaceful protest. It expressed deep concern about Russia's disproportionate charges of hooliganism against two journalists and 28 crew of the Greenpeace vessel *Arctic Sunrise*. It also urged the Prime Minister and the Minister for Foreign Affairs to be in continuous direct contact with the Russian government, to urge it to abide by the law of the sea and also to help ensure the release of Colin Russell, Australian citizen. I note that the minister has indicated that she and the government had done everything possible, and I just want to note that I do not believe that that is the case.

I want to first put on the record the gratitude of the Greens, of the Australian community, and of the family—who have said this publicly—for the excellent assistance of the consular staff, who, at all times, supported Colin Russell and did everything they could on the ground. When Mr Russell came home, he again praised the brilliant consular support that he had received. So I am not making comment about people in the consular service; they did a great job.

The point here is: the Prime Minister did not engage, at any level, compared to countries of the other people detained. The Netherlands' Prime Minister held a press conference and initiated action against Russia. The British Prime Minister called President Putin. The French Prime Minister met with the Russian Prime Minister and President. Germany did not even have any of its citizens jailed, and yet its Chancellor still expressed her concern. The best that Australia did is that the minister wrote to the Russian foreign minister. There was no formal meeting with him or any other Russian minister. The highest level reached was a side meeting with the deputy foreign minister. Well, I do not think that is good enough, especially given that, in opposition, the now Prime Minister, then opposition leader, Tony Abbott, criticised the Labor Party with regard to two Australian businessmen who were being held in the Middle East. And when Tony Abbott became Prime Minister he went to the Middle East and had a meeting with the Crown Prince of Abu Dhabi to secure the release of Mr Joyce and Mr Lee. I think that, at the very least, when he was at APEC the Prime Minister had the opportunity to raise this issue with President Putin, and he did not.

I would urge him now to reflect on that and to act in the case of Peter Greste, who is an Australian journalist now being held in Egypt and will face trial later this month, beginning on 20 February. Again, I want to congratulate the Australian consular officials in Egypt, who are doing a fantastic job. I have been assured by the family that not only have the consular officials been doing everything possible to assist Peter Greste but also here in Australia they have been supporting the family and keeping them informed to the best of their ability to do so.

I particularly want to call on the Prime Minister to do more. I know that Minister Bishop has been in contact with her counterpart in Egypt; I am aware of that. But I think that, given the seriousness of the charges that have now been laid against Mr Greste; given the fact that he is going to face trial, beginning 20 February; and given the global campaign that is now underway—we have had the human rights chief of the United Nations and senior political figures in the US speaking out—it is time that the Australian Prime Minister spoke out on behalf of Peter Greste and took this matter up in the same way that he was prepared to do for two Australian businessmen who were being held in the Middle East.
I understand that, whilst Minister Bishop has said it is not possible for a nation to interfere in criminal proceedings in another country, precisely when Prime Minister Abbott went to see the Crown Prince of Abu Dhabi, the charges were reversed. So I think that the behaviour of the Prime Minister previously sets a precedent. He has been prepared to intervene personally in the case of Australian citizens, and I would urge him to do so in the case of Peter Greste. There is a global campaign now being run by journalists around the world, by Al Jazeera colleagues. It is well worth noting that this is also about the safety of journalists and a free and fair press. Mr Greste has worked for Reuters, for CNN, for the BBC; he is a well-known, respected journalist accused of very serious crimes. I do not want to see a situation—as occurred previously with Colin Russell—where there is not the level of political engagement that is necessary. That engagement occurred for many other leaders around the world. I would urge that the Australian government, the Prime Minister, now intervene on behalf of Peter Greste.

In relation to Colin Russell, I want to say how pleased I am that he is now home with his family. I think it is important that, again, the right to peaceful protest is reaffirmed, because we are going to see, clearly, with global warming, a fight over the resources of the Arctic, and this was a measure to show the world what response the Russian government would take to nonviolent peaceful protest highlighting the impacts of global warming and of course oil drilling and fossil fuel extraction.

We have to have an ability for the world to be able to express its concern—for other countries, places and people to be able to express their concern. Equally, we need a free and fair press, and that is exactly what Peter Greste was doing in reporting on the situation in Egypt for Al Jazeera. I think all Australians would be horrified to think that he now faces a seven-year jail sentence because he has been charged under article 86 of the Criminal Code. He has been accused of collaborating with the Egyptians by providing them with, money, equipment, information, airing false news and so on.

It is really important now that a point is made about the Australian Prime Minister's support for freedom of the press. I note that he said at a press conference today that he supports a free media. I am glad to hear that he supports a free media abroad and recognises that detaining journalists who are going about their ordinary business is not conducive to the kind of free media that, in the end, is in the long-term best interests of everyone.

Having made that observation, I call on the Prime Minister to intervene in the case of Peter Greste as soon as he possibly can, because the charges that Peter Greste now faces are serious. I do believe that they are absolutely unjustified charges. I believe he was doing his job as a journalist and we should support him in what he was doing. As an Australian citizen, we should stand up for him.

I want to thank all those people who worked and stood up for Colin Russell throughout his ordeal. I also thank other members on the crew and the journalists on the Arctic Sunrise. I am glad they are now all released. Including Greenpeace, I thank the people who were part of a strong global campaign. Let us get behind the campaign to free Peter Greste. I call on the Prime Minister to now personally intervene. I reiterate my thanks for the consular support that he is receiving and express how much that is appreciated. It was appreciated by Colin Russell's family, and is currently appreciated by Peter Greste's family.

Question agreed to.
Australian Taxation Office

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:55): By leave—I rise to take note of the response from the Director of Indirect Tax from the Australian Taxation Office on Taxation and Mobile Home Parks and the attachment to it and I move:

That the Senate take note of the documents.

This motion that the Senate supported was in response to the Australian Greens' motion that called for the Australian Taxation Office to maintain the current GST arrangements on movable home estates and movable park homes. It is not often that I say thank you to the Australian Taxation Office. I would like to thank the Australian Taxation Office, because they have withdrawn the Australian Taxation Office ruling. It was a draft ruling looking at taking away the current arrangements on movable home estates and movable park homes. It was set to have a significant impact on about 100,000 Australians. These are mostly low-income Australians or pensioners who are living in movable park homes. The ruling would have significantly increased the fees that they had to pay and made it harder for them to make ends meet.

I do not often get to say thank you to the ATO and I do not often get to express my pleasure in this place that one of our motions was actually successful and we have had a good outcome. My office received a lot of correspondence about this particular issue and I know there are many Australians, including Western Australians who are living in the south-west in lifestyle villages and in mobile home parks, who would have been affected by this. I know they are very pleased because I had very positive feedback. I want to put that on the Senate record. Thank you.

Question agreed to.

Whaling

Senator WHISH-WILSON (Tasmania) (17:58): by leave—I rise to take note of the response from the Minister for Immigration and Border Protection, Mr Morrison, in relation to whaling and I move:

That the Senate take note of the document.

Sadly, just like clockwork every summer, we see Japanese whaling fleets leaving their northern homes to head for the Southern Ocean to a very special place on the planet. The oceans surrounding Antarctica are not just special because they are so pristine and untouched by mankind; they are absolutely essential to the ecosystem on this planet and the creatures that live in the ocean—from the top of the food chain, the biggest animals on the planet, all the way down to the krill and food in the ocean. That is why whales migrate south to the ocean and that is why there is a whale sanctuary down there. We have been to the beach in summer and seen the whales' spouts out on the horizons, or seen the whales frolicking off our coastlines in Australia. We now know that over millions of years they have gone down there with calves to feed, and then migrate north again.

Because this ocean is so abundant and so rich it is very important from a fisheries perspective and from a conservation perspective. That is why Australia has taken a very important leadership role globally in declaring a whale sanctuary in the waters surrounding Antarctica. We have claimed other parts of the Southern Ocean. While I agree that many countries do not respect those claims, nevertheless they are still very important to our
sovereignty. There is absolutely no doubt that in the future this issue will continue to build
and be a potential flashpoint for this country because those waters and the abundance of sea
life and the ecosystems they support are going to be very important food sources.

The fact that Japanese whaling boats go to the Southern Ocean to slaughter whales under
the disguise of so-called scientific research—and this has never been accepted by successive
governments in Australia and has never been accepted by the Australian people—is not just
because they want to collect whale meat and sell whale meat but also because they want to
make a clear statement that this is the global commons and that they can access it at will.
Australia can do more to prevent whaling in the Southern Ocean. We have an international
court decision coming soon but we do not know whether the decision will be respected by
conservationists like the Sea Shepherd or by the Japanese, depending which way it goes. We
could debate for hours here tonight whether it should be accepted if you believe in the
conservation of whales.

The government had a very clear policy on this. I remember standing at the Sea Shepherd
dock in Hobart congratulating our Minister for the Environment, Greg Hunt, on his very clear
policy to send the Ocean Protector, our Customs-built vessel. It is ice rated and there was a
$150 million bill for taxpayers. It was designed for the Southern Ocean and to be sped off
Macquarie Island. It is up in the northern waters acting as a water taxi under the government's
Sovereign Borders campaign. It needs to go south to Macquarie Island and do the job it was
intended to do. The coalition have highlighted in their whaling policy very clearly sending the
Ocean Protector to prevent blood in the waters from whaling. It also needs to stop illegal
fishing. We know there is an illegal fishing boat down there at the moment. These are very
big issues. They certainly need the scrutiny of this place, the parliament, because whaling and
illegal fishing are very important issues for the Australian people.

Question agreed to.

COMMITTEES
Human Rights Committee
Report

Senator SMITH (Western Australia) (18:03): On behalf of the Parliamentary Joint
Committee on Human Rights, I present the second report of the 44th Parliament of the
committee on the examination of legislation in accordance with the Human Rights
(Parliamentary Scrutiny) Act 2011.

Ordered that the report be printed.

Senator SMITH: by leave—I move:

That the Senate take note of the report.

This second report of the Parliamentary Joint Committee on Human Rights in the 44th
Parliament sets out the committee's consideration of 12 bills introduced during the period 9 to
12 December 2013, 315 legislative instruments received between 23 November 2013 and 31
January 2014, and six responses to the committee's comments in previous reports. The
committee considers that the majority of the bills and instruments it has considered do not
give rise to human rights concerns. Some of these bills and instruments do not engage human
rights, some engage and promote rights, and some engage and limit rights but are

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accompanied by statements of compatibility that set out adequate justification for each limitation.

The committee has identified nine bills, 12 legislative instruments and two responses for which it will seek further information before forming a view on compatibility with human rights. The committee has deferred its consideration of three instruments to allow time for consideration of recommendations for review of certain legislative schemes made by the committee in the 43rd Parliament. The committee has identified six instruments that do not appear to raise any human rights concerns but are accompanied by statements of compatibility that do not fully meet the committee's expectations. The committee has written to the relevant ministers in a purely advisory capacity providing guidance on the preparation of statements of compatibility.

In my statement at the tabling of the committee's first report of the 44th Parliament I set out the committee's expectations of statements of compatibility. I emphasised the importance of a statement of compatibility setting out the objective of the legislation and the manner in which human rights are being considered. In framing the legislation to achieve this objective I noted that it is particularly important when in order to achieve a particular objective certain rights are to be limited. I stressed the committee's expectation that the statement of compatibility demonstrate that there is a rational connection between the limitation and the objective and how the limitation is proportionate to that objective. I also stated that the committee expects statements of compatibility to set out the safeguards that will be applied to ensure that any limitations are implemented in the least restrictive form.

Regrettably, the committee notes that some of the statements of compatibility accompanying bills and instruments considered in this second report have fallen short of the committee's expectations. The committee is particularly concerned to note that some statements of compatibility provide assertions with no supporting evidence. The committee wishes to emphasise that it is not enough for a statement of compatibility to merely claim that a measure will contribute to the achievement of a particular objective or that a measure is necessary, reasonable and proportionate.

The committee considers that the sponsor of a bill or instrument bears the onus of demonstrating that this is the case. Where the matter is capable of evaluation in light of empirical evidence, the statement of compatibility should set this evidence out in sufficient detail to facilitate the committee's consideration of the compatibility of the measure with human rights. Where further information is required to determine these questions, the committee will write to the sponsor of the legislation in a spirit of constructive dialogue to request clarification. I commend the report to the Senate.

Question agreed to.

DELEGATION REPORTS

Senator BACK: by leave—I move:

That the Senate take note of the document.

It was my privilege last year to be one of two parliamentary representatives to the United Nations General Assembly in New York, and in fact it was particularly advantageous that Australia, in the years 2013 and 2014, is a member of the 15-member Security Council. This of course was a tremendous advantage given the fact that the Australian delegation was able to go into any open or closed meetings of the Security Council.

It is interesting to note that the very first president of the UN Security Council meeting, held in London in 1946, was Australian ambassador the Hon. Norman Makin AO. In 2013 Australia earned universal praise from UN member states during its presidency of the Security Council in the month of September for its leadership following the use of chemical weapons against civilians in Syria on 21 August, and it was only days, in fact, that the Security Council, in concert with the Organisation for the Prohibition of Chemical Weapons, was able to achieve the consensus of all members of the Security Council, which led to personnel being deployed to Syria within weeks.

The report has eight appendices. It was too voluminous to present the appendices, so they will appear on a website to ensure that they are available for scrutiny.

The fact of Australia being on the Security Council was of particular significance again during the month of September. During our presidency in that time a motion of the Australian delegate ensured that the Security Council passed a resolution dedicated to the limiting of the threat of small arms and light weapons. In the appendices of my report, I speak in greater detail about that.

It is a fact that the illicit trade in small arms and light weapons is a key driver of conflict and instability around the world, including in the vast majority of the conflict situations on the council's agenda. Of course it is of significance the fact that women and children in these affected areas are so much the victims of the abuse and illicit use of small arms and light weapons.

Small arms and light weapons are intrinsically linked to terrorism, piracy and transnational crime. They impede peace building efforts and pose threats to civilians, peacekeepers, humanitarian workers and civil society organisations. I would commend people to read through what was the resolution simply because, Mr Acting Deputy President Gallacher, as you would know, of the 15 members there are five permanent members and it was very pleasing to record that while one or two of the permanent members did not oppose that motion, neither did they actually vote, so that particular motion went through and it was announced by Australia's foreign minister acting in her capacity as president of the Security Council in September last year in New York.

In terms of the General Assembly itself, it was the 68th session of the General Assembly. The General Assembly works through six committees, of which I had the pleasure and privilege of being particularly involved in two. It was an added benefit for me that our United Nations ambassador, the Hon. Gary Quinlan, was tied up in the Security Council because it did actually allow the opportunity to make some statements on Australia's behalf in the General Assembly and in its committees.
Those two committees with which I had the greatest association were the First Committee dealing with disarmament and international security, and the Second Committee dealing with economic and financial matters. Again the report and its appendices deal in some more detail with the discussions and particularly the resolutions of those committees, and I want to briefly outline some if I may.

In the First Committee those in which Australia particularly had input related to the establishment of a nuclear weapon free zone in the region of the Middle East; the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction; the Arms Trade Treaty; assistance to states for curbing the illicit traffic in small arms and light weapons, of which I have already spoken; and a Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction. There are several more that would also be of interest.

In the Second Committee, again the attention of this committee was directed to challenges of economic growth and development, including international trade, financing for development, debt sustainability, eradicating poverty in least developed countries—LDCs—and small island developing states, and of course in developing countries themselves. I have included in my report some of the key resolutions of the Second Committee, which went to the United Nations General Assembly for approval in December 2013, and I list in my report some 12 of those key recommendations that went forward for acceptance: dealing with external debt sustainability and development and international strategy for disaster reduction; human resources development; international financial system development and commodities; the United Nations Convention to Combat Desertification.

And I now refer to the influence of this committee and its resolutions in the field of agriculture and its related areas: the Second United Nations Decade for the Eradication of Poverty; agricultural development, food security and nutrition; the indication of a World Soil Day in December this year and the International Year of Soils in 2015; the fact of 2014 being the Year of the Family Farmer—and I was pleased to make a contribution when the FAO announced in early December last year that this would be the International Year of the Family Farmer—aspects of sustainable agriculture technology; and a range of other areas.

I kept my Western Australian staff very, very busy during my time. I reflected and reported, again, in the report and its appendices, on the achievement of the Millennium Development Goals, which had their origins in September 2000 and are due for completion by December 2015. There were eight of them, relating to: eradicating extreme poverty and hunger; universal primary education; promoting gender equality and empowering women in the world; reducing child mortality; improving maternal health; combating HIV-AIDS, malaria and other diseases; ensuring environmental sustainability; and developing a global partnership.

I have presented in the report my summary of where we are, with 22 months to go in achieving them. But what was of significant interest to me was what the Millennium Development Goals in 2000 did not do. The first failure was that, regrettably, perhaps because of the speed of their implementation, there was not much consultation by the providing states with those who would be the recipients. The second failure, I believe, was the fact that the corporate sector was largely left out of the Millennium Development Goals and their
achievement. The third—and it has been agreed and understood—was that there was a relative lack of focus on governance as to how we would understand the achievement of those Millennium Development Goals.

Interestingly, given the fact that agriculture is so important in the least developed countries and the developing countries of the world, and given the fact the vast majority of people in low-socioeconomic areas are engaged in agriculture, not one of the Millennium Development Goals actually addressed agriculture. I am pleased to say that the Secretary-General, Ban Ki-moon, is already pressing on with work beyond 2015, on the post-2015 sustainability goals, and I can assure you that each of those is front and centre.

I have attempted to present my summary of where I believe the Millennium Development Goals have achieved and where I believe they are not achieving. I thought I would draw a line in the sand for people who are interested as to where we would go. I also spent time—annoying my staff intensely—on trying to come to an understanding of the whole question of financial support and the receipt of financial support within the UN. There are 193 countries members of the UN. It is little wonder they do not achieve a lot. If you had 193 members of the one family around the Christmas table there would only be arguments. Of that 193, there are 31 developed countries, three advanced economies, 93 developing countries, 30 least developed countries and 36 small island developing states. Again, it is interesting to reflect on those countries which are donors—we are one of those—those countries which are recipients and the way forward, because we have to address the question of financial support in the future.

Question agreed to.

DOCUMENTS
Tabling

The Clerk: Documents are tabled pursuant to statute. Details will be recorded in the Journals of the Senate and on the Dynamic Red. Details of the documents also appear at the end of today’s Hansard.

COMMITTEES
Membership

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:18): The President has received letters from party leaders requesting changes in the membership of committees.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (18:19): by leave—I move:

That senators be discharged from and appointed to committees as follows:

Abbott Government’s Commission of Audit—Select Committee—

Discharged—

Senator Bernardi

Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Edwards, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos
Appointed—
Senator Edwards
Participating member: Senator Bernardi

Community Affairs Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Economics Legislation Committee—
Discharged—
Senator Marshall
Participating members: Senators Abetz, Birmingham, Bishop, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos
Appointed—Senator Bishop

Economics References Committee—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Education and Employment Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Environment and Communications Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Electoral Matters—Joint Standing Committee—
Discharged [for the purposes of the committee’s inquiry into the 2013 election]—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Finance and Public Administration Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifeld, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Foreign Affairs, Defence and Trade Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Legal and Constitutional Affairs Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos
National Broadband Network—Select Committee—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

National Capital and External Territories—Joint Standing Committee—
Discharged—Senator Kroger
Appointed—Senator Back

Northern Australia—Joint Select Committee—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

Procedure—Standing Committee—
Discharged—Senator Polley
Appointed—Senator Faulkner

Rural and Regional Affairs and Transport Legislation and References Committees—
Discharged—Participating members: Senators Abetz, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos

School Funding—Select Committee—
Discharged—
Senator Kroger
Participating members: Senators Abetz, Back, Birmingham, Brandis, Cash, Colbeck, Cormann, Fierravanti-Wells, Fifield, Johnston, Mason, Nash, Payne, Ronaldson, Ryan, Scullion and Sinodinos
Appointed—
Senator Back
Participating member: Senator Kroger

Treaties—Joint Standing Committee—
Discharged—Senator Kroger
Appointed—Senator Back.
Question agreed to.

BILLS

Building and Construction Industry (Improving Productivity) Bill 2013


First Reading

Bills received from the House of Representatives.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (18:19): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
I seek leave to have the second reading speeches incorporated in Hansard.

Leave granted.

The speeches read as follows—

BUILDING AND CONSTRUCTION INDUSTRY (IMPROVING PRODUCTIVITY) BILL 2013

Introduction

Today I introduce the Building and Construction Industry (Improving Productivity) Bill 2013.

The construction industry provides many jobs for workers in small business, large enterprises and contractors. It is critical to a productive, prosperous and internationally competitive Australia. The Coalition Government recognises the importance of an industry that is vital to job creation and essential to Australia's economic and social well-being.

This Bill re-establishes the Australian Building and Construction Commission, a genuinely strong watchdog that will maintain the rule of law to protect workers and constructors and improve productivity on building sites and construction projects, whether on-shore or off shore.

This Bill will reverse Labor's changes to the laws which underpinned the Australian Building and Construction Commission before it was abolished in 2012.

The Bill prohibits unlawful industrial action, unlawful picketing, and coercion and discrimination. Penalties that are high enough to provide an effective deterrent will apply to breaches of these provisions. A wide range of effective remedies such as injunctions will also be available to the ABCC and persons affected by unlawful behaviour.

The need for the Australian Building and Construction Commission to be re-established

For many years, the building and construction sector provided the worst examples of industrial relations lawlessness. Then Workplace Relations Minister in the Howard Government, the Hon. Tony Abbott MHR, was prepared to tackle this long-standing bad behaviour and in 2001 established a Royal Commission into the Building and Construction Industry. The final report of that Royal Commission provided compelling evidence of the need for reform in this industry. It found consistent evidence that building sites and construction projects in Australia were hotbeds of intimidation, lawlessness, thuggery and violence. Projects were delayed, costs blew out and investment in our economy and infrastructure was being jeopardised.

Central to the Royal Commission's findings was industry lawlessness. It concluded that the standards of commercial and industrial conduct exhibited in the building and construction industry represented a significant departure from that in the rest of the Australian economy. Witnesses reported criminal conduct, unlawful and inappropriate conduct, including breaches of the relevant workplace relations and work health and safety legislation and a disregard for Commonwealth and State revenue statutes. Inappropriate conduct was defined by the Royal Commission as "...behaviour that infringes the Workplace Relations Act 1996, a person's right of choice or other conduct which departs from recognised norms of civility and behaviour".

The Royal Commission's findings publicly established what everyone in the industry had known about for years, but previous governments had been unwilling or too intimidated to tackle. The Howard
Coalition Government was prepared to step in and make the tough decisions required to clean up this sector. The establishment of the Australian Building and Construction Commission in 2005 provided a genuinely strong watchdog, dissolving the 1970s style practices that plagued this industry. It was a strong, specialist regulator that enforced the rule of law applying to the building and construction sector.

While the ABCC existed, the economic and industrial performance of the building and construction industry significantly improved. For example, a 2013 Independent Economics report on the state of the sector during this period found that:

- building and construction industry productivity grew by more than 9 per cent;
- consumers were better off by around $7.5 billion annually; and
- fewer working days were lost through industrial action.

The former Labor Government came under sustained pressure from building and construction unions to abolish the Australian Building and Construction Commission and the Building Code that supported its work. The Labor Government procrastinated for five years, before then Workplace Relations Minister Bill Shorten gave in to union demands and abolished the organisation in 2012 and replaced it with a regulator with significantly reduced funding and powers. This saw the 'bad old days' return — wildcat stoppages, militant protests, demands from unions that their mates be employed on projects ahead of non-unionists, and an increase in construction industry disputes to a seven year high.

No one needs reminding of the scenes we saw late last year, merely weeks after the Australian Building and Construction Commission was abolished: violence on the streets in the City of Melbourne, with militant union protestors intimidating the community and their supporters attacking police horses. We had workers on the site purchasing an advertisement in the Herald Sun with an open letter to their own union bosses asking for the blockades to stop. Images of these protests were seen on television screens around the world. What message did that send to national and international companies about investing in building and construction projects in Melbourne or Australia?

We saw the CFMEU grossly bullying non-members by creating posters labelling them — amongst various other things—'scabs' and advocating that they be run out of the industry in open defiance of the Fair Work Act and Supreme Court orders to end the protests.

We saw a violent dispute at the Little Creatures Brewery site in Geelong where union picketers were accused in court documents of making throat-cutting gestures, making threats to stomp heads in, workers who wanted to get on with the work being told they were 'dead' and shoving, kicking and punching motor vehicles.

We saw union protestors threatening people with 'Columbian neckties' at City West Water in Werribee, where the dispute was so heated that workers had to be flown in by helicopter. The term 'Columbian neckties' came from the Columbian Civil War of 1948 and involves slashing a victim's throat horizontally and pulling their tongue out through the open wound.

And just last month, we saw CFMEU officials threaten to stop work on a Lend Lease project in Adelaide if a union flag was not moved to a more prominent position.

The previous government was well aware of this type of behaviour in the building and construction industry and so was understandably reluctant to abolish the Australian Building and Construction Commission despite strong union pressure. It contracted Justice Murray Wilcox to review the industry to buy time. Justice Wilcox recognised the need for, and the benefit provided by, the Australian Building and Construction Commission, stating in his report that, "the ABCC's work is not yet done". And, "it would be unfortunate" if the ABCC's replacement body "led to a reversal of the progress that has been made". But that is exactly what we have seen.

The Labor Government set up a severely curtailed version of the ABCC called the Fair Work Building Industry Inspectorate. As well as having its powers substantially curtailed, it faced significant reductions in funding and staffing of around 30 per cent. The inspectorate was hampered by quite novel
restrictions on its ability to initiate or continue with proceedings if matters the subject of litigation had been settled by the parties. These amendments were introduced without any prior notice or forewarning by the Leader of the Opposition when he was the responsible Minister. They are equivalent to a person running a red light and causing an accident then Police being unable to charge that person with any offences, including running the red light, if that person has settled with the other person involved in the accident. These provisions are certainly contrary to former Prime Minister Gillard's views, whilst she was the responsible Minister in 2009. At this time she said, in relation to misbehaviour in the building industry, that "...Each and every breach of the law is wrong and each and every breach of the law should be acted upon."

These provisions in the Labor Government's legislation were heavily criticised by the Law Council of Australia as giving primacy to the interests of private litigants over the application and enforcement of laws of the Parliament. The Law Council of Australia urged reconsideration of this provision and the community can be reassured that there is no such provision in the Coalition Government's Bill.

The election commitment

In the Government's Policy to Improve the Fair Work Laws, the Coalition Government committed to re-establish the Australian Building and Construction Commission to once again ensure the rule of law and productivity on commercial building sites and construction projects, whether on-shore or off-shore.

We took this commitment to the 2010 and 2013 federal elections as a key policy. So important did we see this commitment that we also committed to re-establish the Australian Building and Construction Commission within 100 days of the Parliament first sitting. This Government was given a clear mandate by the Australian people to make this change.

The Coalition Government is committed to ensuring that the rule of law is maintained and that workers in the building and construction sector can go to work free of intimidation and harassment. As the Cole Royal Commission concluded a decade ago, the behaviour that we too regularly see in this industry marks it as singular. It is an industry in which conventional standards of commercial and industrial behaviour do not apply. Like in the textiles, clothing and footwear sector – special circumstances require special laws.

We also promised that a re-established Australian Building and Construction Commission will administer a code that will govern industrial relations arrangements for Government-funded projects. This step will ensure that taxpayers' dollars are used efficiently. We also promised we would work with state governments to ensure consistency with guidelines introduced by those governments who saw the urgent need to set up their own schemes in response to the Gillard Government's abolition of the ABCC. A new statutory code is being developed that is intended to commence at the same time as the re-established Australian Building and Construction Commission on 1 January 2014.

Description of the Bill

The main object of the Bill is to provide an improved workplace relations framework for building and construction work to ensure that it is carried out fairly, efficiently and productively for the benefit of all building industry participants and for the benefit of the Australian economy as a whole.

The Bill aims to improve the bargaining framework so as to further encourage genuine bargaining at the workplace level. Enterprise bargaining negotiations must be harmonious, sensible and productive and should be tailored to the particular workplace.

The Bill upholds and promotes respect for the rule of law and ensures respect for the rights of all building industry participants. The Bill contains provisions to ensure that unlawful action, including unlawful industrial action and unlawful pickets, are dealt with appropriately. The Bill includes the ability for the courts to impose significant penalties for individuals and organisations that participate in unlawful action.
The Bill provides effective means for investigating and enforcing the law. The Australian Building and Construction Commissioner will be able to exercise their power to obtain information quickly and effectively without being hindered by unnecessary bureaucratic red tape around the issue of examination notices. However, to ensure accountability and transparency, the use of these powers will continue to be reviewed and reported on by the Commonwealth Ombudsman.

Importantly, this Bill encourages productivity and the pursuit of high levels of employment in the building and construction industry. It will ensure that the Government's Policy to deliver the Infrastructure of the 21st Century is delivered on time and on budget. This Bill will create jobs and investment by ensuring employers and workers in the industry can get on with the job without fear of intimidation.

**The definition of building work**

The definition of building work in the Bill includes off-site prefabrication of made to order components for parts of buildings, structures or works. The definition of building work also includes the transporting or supplying of goods to be used in building work. This is a change from the previous ABCC legislation and is included to ensure that large resource construction projects cannot be indirectly disrupted through coordinated 'go slows' on the supply of materials to those projects.

**The extension to the Exclusive Economic Zone and continental shelf**

The Bill extends to the exclusive economic zone and waters above the continental shelf. This extension will bring the legislation into line with the Fair Work Act.

**The structure of the ABCC**

This Bill will re-establish the Australian Building and Construction Commission to ensure the rule of law is enforced in the building and construction industry. The Australian Building and Construction Commission will be led by its Commissioner, who will have the critical task of monitoring, promoting and enforcing appropriate standards of conduct by building industry participants and referring matters to other relevant agencies and bodies as required.

The Australian Building and Construction Commissioner will also be responsible for investigating suspected contraventions of the law by building industry participants. The Commissioner will also institute or intervene in proceedings in accordance with these laws; and, provide assistance and advice to building industry participants on their rights and obligations under designated building laws.

The Australian Building and Construction Commissioner will be supported by Deputy Commissioners, and by a statutory agency, to be known as the Australian Building and Construction Commission, comprising persons engaged under the Public Service Act 1999. The Australian Building and Construction Commissioner will be the head of that statutory agency. The agency will be properly funded to ensure it can do its work – the funding taken away by the Labor Government will be restored.

**Penalties**

Changing the lawless culture of the building and construction industry requires strong regulation, a strong regulator and penalty levels that will act as a deterrent to unlawful behaviour.

Higher penalties are justified in an industry that is so critical to Australia's economic performance. Building and construction organisations are well resourced and some show a blatant disregard for court orders and shrug off fines as 'simply part of the cost of doing business.'

**Unlawful action**

The Bill makes it clear that unlawful action will not be tolerated and there are significant penalties for taking unlawful industrial action, or for engaging in, or organising, an unlawful picket. Safeguards are built into the legislation that ensure that the Commissioner is able to separate unlawful and organised picketing aimed at disrupting building and construction work from legitimate protests.
The Bill also reinstates civil remedy provisions in relation to coercion and discrimination and makes it clear that project agreements are unenforceable where the intention is to secure standard employment conditions relating to a particular site or sites covering employees from different enterprises. These types of project agreements inhibit genuine enterprise bargaining.

**Coercive powers**

The Bill enables the Australian Building and Construction Commissioner to compel witnesses to attend an examination or to produce documents where he/she reasonably believes that the person has information or documents relevant to an investigation into a suspected contravention of workplace relations laws. These powers are needed to ensure the Australian Building and Construction Commission is able to carry out its investigations effectively and is a key tool for breaking down the historical and unacceptable 'culture of silence' in the sector. These kinds of powers are not novel and are also granted to a range of other Commonwealth regulatory bodies such as the Australian Competition and Consumer Commission, the Australian Prudential Regulation Authority, the Australian Securities and Investment Commission, the Australian Taxation Office, Centrelink and Medicare.

The Bill does, however, contain appropriate and effective safeguards to ensure due process and transparency in the use of these powers. The Bill requires the Australian Building and Construction Commissioner to provide the Commonwealth Ombudsman with a report about the examination along with a video recording and transcript of the examination. At the end of each financial year, the Commonwealth Ombudsman is required to prepare and present to the Parliament, a report about examinations during the year. This will ensure public transparency and accountability and give the community confidence in the work of the ABCC.

**Federal Safety Commissioner and the Australian Government Building and Construction OHS Accreditation Scheme**

The Government is committed to using its influence as a funder of large building and construction projects nationally to lead the way on improving work, health and safety standards and culture throughout the building and construction industry. For this reason, the Bill retains the role of the Federal Safety Commissioner and the Australian Government Building and Construction Industry WHS Accreditation Scheme.

**Conclusion**

The Coalition Government is committed to doing all that is necessary to reform the building and construction industry and to reinstate the rule of law in this sector.

The Coalition Government wholeheartedly believes that workers deserve to be able to go to work each day without the fear of being harassed, intimidated or the subject of violence.

The former Labor Government undermined confidence in the building and construction industry. Abolishing the Australian Building and Construction Commission has seen a return to lawlessness and an increase in the number of days where work is simply not being done in the industry.

Australia cannot afford to have a building and construction industry which is inefficient and unstable. The restoration of the Australian Building and Construction Commission and the code which supports its work is a critical reform for Australia. The contents of this Bill reflect this commitment.

**BUILDING AND CONSTRUCTION INDUSTRY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2013**


This Bill deals with consequential and transitional matters relating to the re-establishment of the Australian Building and Construction Commission and other matters set out in the Building and Construction Industry (Improving Productivity) Bill 2013.
This Bill will ensure a smooth transition from the institutions, functions and powers created by the Fair Work Building Industry Act 2012 to the new regime established by the Building and Construction Industry (Improving Productivity) Bill 2013. This Bill also deals with residual operation of the Building and Construction Industry Improvement Act 2005 where necessary.

Debate adjourned.

**Telecommunications Legislation Amendment (Consumer Protection) Bill 2013**

**First Reading**

Bill received from the House of Representatives.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (18:21): 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 NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (18:21): I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

The Telecommunications Legislation Amendment (Consumer Protection) Bill 2013 introduces important amendments to reduce the administrative burden of telecommunications legislation on industry; enhance consumer protections; and ensure the Telecommunications Industry Ombudsman scheme is periodically reviewed and updated to meet best practice standards.

In a rapidly changing communications environment it is essential that the codes under which the industry operates can be readily updated in response to new technology and changing service standards—and that Australian consumers can have problems with their telecommunications services quickly resolved.

I note that these legislative measures were introduced in a very similar form by the former Government prior to the September election and that the earlier version of this Bill received bi-partisan and industry support at the time.

This Bill contains several key measures.

The Bill enhances the operational efficiency of the Do Not Call Register Act 2006 by clarifying the meaning of "cause" in that Act in relation to the party responsible for making a telemarketing call or sending a marketing fax.

Approximately nine million telephone numbers are listed on the Do Not Call Register—including two-thirds of Australian households with a fixed line home telephone and close to four million mobile telephone numbers.

Amendments included in this Bill will provide the Australian Communications and Media Authority with the ability to undertake more effective enforcement action in relation to unsolicited telemarketing calls and marketing faxes.
The amendments being made will clarify responsibility for unsolicited marketing calls and faxes so that a party contracting with an intermediary that makes telemarketing calls or sends telemarketing faxes cannot evade responsibility for compliance with the DNCR by using such intermediaries on their behalf.

The proposed amendments to the Telecommunications Act 1997 included in this Bill will simplify the process of updating the body of industry codes that form the basis of the telecommunications industry's self and co-regulatory framework.

These codes cover, among other things, consumer protections, technical matters, operational and inter-operator arrangements. They are registered – and when necessary enforced – by the ACMA.

Under existing legislation, making changes to a registered code has required that the entire document be opened up for formal revision – a process that at times has entailed more than a year of work by multiple stakeholders.

These amendments will allow code developers to maintain robust and dynamic industry codes by enabling them to be varied, rather than being replaced in their entirety, subject to the approval of the ACMA.

Additionally, the amendments:

- extend the reimbursement scheme for developing consumer-related industry codes to also apply to variations of those codes; and
- improve the transparency of code development by requiring draft codes and most submissions to be published on the code developer's website.

The telecommunications industry has welcomed the proposed amendments to the Telecommunications Act which will also facilitate a planned program to reduce the co-regulatory burden on the sector by streamlining and consolidating requirements where these are duplicated within multiple codes.

Such measures will complement this Government's broader efforts to reduce the red-tape burden on all sectors of the Australian economy which we intend to lead to savings of $1 billion per year.

Lastly, the Bill also introduces amendments to provide greater regulatory clarity around the role of the Telecommunications Industry Ombudsman (TIO) and its expected standards of operation. These amendments were developed in response to recommendations from a 2012 review of the TIO scheme.

The Bill achieves this objective by requiring the TIO scheme to comply with standards determined by legislative instrument made by the Minister.

The Bill also requires the TIO scheme to be independently reviewed and provide for consultation with the public and the ACMA. The TIO will be required to publish a final review report on its website and respond to any review recommendations within a specific timeframe.

These amendments will ensure the TIO scheme continues to operate as a best practice alternative dispute resolution service—a great example of the industry solving consumer problems rather than relying on government regulation.

The various amendments in this Bill are not contentious and have the support of industry, regulatory authorities, and consumer representatives.

There is no doubt the communications landscape is entering a critical phase where changes in technology are making traditional regulatory frameworks either inefficient or redundant. This bill removes certain regulatory rigidities while preserving transparency and accountability for telecommunications consumers.

Debate adjourned.
Grape and Wine Legislation Amendment (Australian Grape and Wine Authority) Bill 2013
Primary Industries (Customs) Charges Amendment (Australian Grape and Wine Authority) Bill 2013
Primary Industries (Excise) Levies Amendment (Australian Grape and Wine Authority) Bill 2013
Customs Amendment (Anti-Dumping Commission Transfer) Bill 2013
Australian Civilian Corps Amendment Bill 2013
Offshore Petroleum and Greenhouse Gas Storage Amendment (Cash Bidding) Bill 2013
Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Bill 2013
Import Processing Charges Amendment Bill 2013
Primary Industries (Customs) Charges Amendment Bill 2013
Primary Industries (Excise) Levies Amendment Bill 2013
Rural Research and Development Legislation Amendment Bill 2013
Australian Capital Territory Water Management Legislation Amendment Bill 2013
Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013

Assent

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

COMMITTEES

Procedure Committee

Report

Senator BUSHBY (Tasmania—Deputy Government Whip in the Senate) (18:22): At the request of the Deputy President, I present the second report of 2013 of the Procedure Committee and move:

That the Senate adopt the recommendations of the second report of 2013 of the Procedure Committee.

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:22): I just want to make a few comments about the Procedure Committee report.

The recommendations in the report include enshrining in standing orders the changes that the Senate has trialled with regard to speaking time limitations on the adjournment on Tuesday nights. I am pleased to say that those changes have been well received by senators, and it is appropriate that standing orders are amended to put those changes in there.

Importantly, the recommendations in the Procedure Committee report also go to the issue of gendered language in the standing orders. The recommendation in the Procedure Committee report is that the standing orders be changed so that gender-specific language is
removed from those standing orders. So, for example, where the standing orders refer to a 'chairman', that language will be changed to the word 'chair'. Within the standing orders there are many inconsistencies already with regard to whether language is gender specific or gender neutral, so this recommendation from the Procedure Committee report will ensure not just consistency in the standing orders but gender-neutral language. I am really pleased to say that the Procedure Committee had no disagreement in our deliberations about changing the standing orders to gender-neutral language and, of course, it is about time that we did that.

In closing, I would like to pay tribute to former senator, Trish Crossin, who raised the matter with the President in a letter to him before she departed from the Senate about the inconsistencies in the standing orders and the fact that there was gender-specific language in there. Former Senator Crossin, as we know, always paid a lot of attention to the issue of gender equality, and right to the last minute she was obviously doing that. It is because of her letter to the President, I believe, that these important changes are now going to be made to the standing orders. I look forward to seeing the revised standing orders and the gender-neutral language that will be in there, and which should be in there.

Question agreed to.

BILLS

Climate Change Authority (Abolition) Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

At the end of the motion, add "but the Senate expresses concern over the impact of the abolition of the Climate Change Authority on the provision of independent advice to Government and the public on carbon pollution reduction targets and actions".

Senator GALLACHER (South Australia) (18:25): I continue my remarks on the Climate Change Authority (Abolition) Bill 2013 from just prior to question time.

We had a situation where an election was basically run and allegedly won as an adjudication of climate change—whether there is climate change, whether there is global warming and whether the solutions of the previous government were correct, or if the incoming government had the right strategy. A brief look at the incoming government's strategy in respect of climate change was that they would plant more trees—or plant lots of trees—and that they would pay polluters to pollute slowly.

In amongst the incessant negativity that emanated from the other side during the whole term of the Labor government and, increasingly, towards the election timetable, it was 'Climate change, carbon taxes: bad, bad, bad, bad'. Basically, the scientists were not reputable or their views were that of zealots.

It was Senator Whish-Wilson who first raised in this chamber the reinsurance industry. It is really interesting to go and look at not the zealots of the world but the reinsurers of the world. There are probably about 10 reinsurers in the global sense, in a very large way: Munich Re, Swiss Re, Berkshire Hathaway Inc. and the Gen Re group, Hannover Re Group, Lloyd's, SCOR, Everest Re Group, PartnerRe, TransRe and ACE Tempest Re Group. These are
reinsurers with a global reach, and they all make clear, unequivocal comments. Munich Re has stated:

Climate change is a subject that concerns us all. It is one of the greatest risks facing mankind. In recent years, Munich Re has actively supported and advanced climate protection and adaptation to global warming.

This is a company that since 1973 has had a strategy, not born out of philosophy—although I hesitate to denigrate their motives in any way—but basically born out of experience and practicalities. They reinsure risk.

There have been catastrophic storms in the US and they cost lots of money. They cost billions of dollars. As I said earlier, Swiss Re, representing 722 investors who hold some US$87 trillion worth of assets, is seeking to insure those assets. These are the people who do that, so they are working from years of history, they are working from actuarial people, they are working at reducing the carbon footprint and they are working with global companies which understand this problem.

The challenge in this debate is to get over the opposition to representing the best interests of the Australian population and the best interests of future Australians in terms of economic damage and climate change damage, and we do not see any signs of that. Planting more trees and paying polluters to pollute slowly is not a coherent national strategy for dealing with a global position.

I can understand the politics of it. I personally am very challenged at the impact of the carbon price on a lot of sectors in our economy. But what you cannot do is forgo the national interest and pretend to act for one sector only and pull the wool over everyone else’s eyes. Basically, the reinsurers of the world, representing billions of dollars worth of reinsurance, believe that climate change is real, that it is happening, and that, unless there are strategies to mitigate global warming, it is going to get much worse.

Any government that goes ahead with a strategy of simply planting more trees and paying polluters to pollute slowly is not in the ballpark. All of the economists and all of the economic advice is that if you want to change behaviour you have to put a price on that behaviour. No economic strategy to pay people to pollute slowly will be effective. It is simply the case that we need to change behaviour, and that is extremely challenging for lots of us on this side of the chamber, too. But the strategy we have at the moment is for more trees and paying people to pollute slowly. It flies against all of the evidence. I urge Mr Abbott and his team to reconsider.

**Senator STEPHENS** (New South Wales) (18:31): I rise to make a contribution to the debate on the Climate Change Authority (Abolition) Bill 2013. We are not making a lot of progress, I have to say, because we on this side of the chamber for very good reasons absolutely disagree with the proposition that this authority should be abolished. None of us need to be reminded very much about the fact that, just a month after the government announced its plans to abolish the Climate Change Authority, here in New South Wales—and I know in other states, because we can see what is happening in Victoria and Western Australia—we have experienced some of the worst bushfires in a decade, and our continent remains a tinderbox, having stayed on high alert all summer.

In November, the newly re-formed Climate Council released a landmark report called *Be prepared: climate change and the Australian bushfire threat*, which highlighted the
demonstrable connection between climate change and the duration and severity of Australian bushfires. The reason today's debate is so important is that this government is burning up the means that we had to be prepared. That is the message we are all being given: be prepared.

The independent research we have seen into the impacts of climate change is critical, because it helps us to prepare ourselves. The Prime Minister spent the election campaign reassuring the public that he accepts the science on climate change, so it is pretty frustrating and hard to understand why his government is removing the very authority that will help Australia's community leaders to prepare for the inevitable impacts of hotter summers and prolonged droughts, increases in bushfires and flooding threats and so on.

Minister Hunt says he will be able to seek advice from the Bureau of Meteorology and the CSIRO, but to do so diverts these organisations from their primary function: collecting and analysing data and forecasting and warning, in the case of the bureau; and scientific research, in the case of CSIRO. In an article in The Conversation not too long ago, Monash University professor Neville Nicholls critiqued this arrangement. At the time, in December last year, he wrote:

One might think, however, that having a local agency to collate and assess this information for the Australian government might be more prudent than relying on other organisations, with their various biases. And it is hard to see how the Bureau of Meteorology or CSIRO could fill this role and provide advice on this aspect of climate change—it seems way outside their comfort zone.

Over the summer I have been reminded very clearly that it is not just the federal and state governments that require authoritative advice on our changing climate. We are a nation with 565 local government authorities, which are scrambling to put in place the best infrastructure and economic development plans for their communities. The question needs to be asked: can we really expect local councils to get on the phone to their local weather station and ask for advice on how best to prepare their communities for climate change?

As we well know, the effects of climate change are being particularly felt in regional and rural Australia. I know the minister has had her concerns when experiencing the drought that is significantly impacting in New South Wales at the moment, because her own country has been affected by it. Think about what has been going on down in the Riverina and out west. In March 2012, the Riverina, in Wagga Wagga for example, was devastated by the Murrumbidgee flooding. Then, just a few months later, it was threatened by a series of uncontrolled bushfires. Also, in November just last year farmers in that area experienced freak frosts. That followed the breaking of the decade-long drought, and now we are back into this drought situation again. So, floods, fires, droughts and frosts have all been experienced by one community down in the Wagga Wagga region. That is a good example of the challenges that one local government authority is having to deal with. So where is that council going to go to getting the advice they need on tackling this multitude of climate challenges? We need the Climate Change Authority for those reasons.

We can choose to proactively address climate change, or we can mop up afterwards. That response, which is really encapsulated in this bill to abolish the Climate Change Authority, means that Australia will actually miss out on a whole range of opportunities.

The mayor of Geelong, someone else who has been affected by the recent fires, said not long ago: 'We believe there is considerable scope for Geelong to use its manufacturing capability to share in the growing green technology market.' He said that before we heard the
news about the car industry. They will be desperately seeking to capture and engage their manufacturing workforce in the innovation, research and development that will help build their economy for the future. He said at the time that, rather than job losses, there is the potential to expand jobs in the region as demand for green technology increases. So we have local governments and regional development authorities around the country trying to be innovative, trying to diversify their local economies and trying to deal with the real challenges of climate change. Then we have an authoritative research arm of the government being abolished by this legislation. It robs our mayors and business leaders of the advice they need to allow them to lead their communities with confidence. This probably is something that has not really had much attention paid to it.

The Climate Change Authority offers many inconvenient truths to our current government, such as this, which came from the draft report of its Targets and Progress Review: ’...it is possible to sustain economic growth while reducing emissions.’ That statement is a truth that repudiates the Prime Minister's ideological stance. This report is due to come out at the end of this month.

As long as the Climate Change Authority exists, the government will not want to receive the report of the Targets and Progress Review, which the authority is legislated to produce and which we are awaiting with interest. It is easy to understand why the government is eager to abolish this organisation and prevent the report from seeing the light of day. That is quite a strong motivation in this abolition bill. The draft report suggests a number of areas where the government's climate policy will be found to be lacking. Much of that evidence is being reiterated in the Senate's inquiry into the direct action plan, which we have been undertaking for the last few months. It is very difficult to find anywhere in any of the submissions evidence that the direct action plan is going to deliver the targets that are being proposed.

The draft report recognises a clear global trend towards more ambitious climate action at the same time that this government has decided to claw back the climate change targets. I quote again from the draft report, which says:

… international action on climate change is strengthening, particularly in some of the world’s largest economies.

Ninety-nine countries, including Australia’s major trading partners and neighbours, and covering over 80 per cent of global emissions and over 90 per cent of the world’s economic output, have 2020 emissions reduction pledges. All of these countries are implementing policies to reduce emissions, including renewable energy targets, emissions trading schemes and vehicle emissions standards.

In particular, the world’s two largest emitters—China and the United States (jointly producing over a third of global emissions)—are stepping up their efforts to reduce emissions. Both countries have emissions reduction targets. China is investing heavily in renewable energy projects, closing inefficient coal power plants and trialling market mechanisms to reduce emissions. President Obama announced an ambitious plan for US action in June 2013, including new restrictions on emissions from coal-fired power plants, strengthened vehicle emission standards and renewable energy activities. These complement state-based market initiatives to reduce emissions.

Despite the trend towards increased climate action, the draft report of the Targets and Progress Review notes that more must be done here in Australia. The international community must increase its emissions reduction targets and Australia cannot step away from that obligation either.
The draft report's critique of the government's present stand gets more pointed. It argues that Australia's five per cent emissions reduction target should be increased for at least three good reasons. The report says:

First, the scale and pace of international action suggests that Australia should be pursuing a stronger target.

Second, 5 per cent is considered an inadequate first step if Australia is to play its part in limiting warming to below 2 degrees.

Third, the Authority considers that moving to a stronger target now could be accommodated at a relatively low cost to the economy, based on modelling of Australia’s economy and emissions outlook. The draft report notes that since our five per cent target was initially set the efforts required to achieve this target have decreased significantly, so present efforts will guide us in the direction of an 11 per cent reduction by 2020. In light of that, the coalition's determination to retain the target at its five per cent level is paltry, to say the least.

The draft report suggests that we could be doing so much more without too much effort. Should the coalition fail to shut down the Climate Change Authority before the end of February they will have to contend with a Targets and Progress Review that will recommend that Australia's emissions reduction target be increased to either 15 per cent or 25 per cent. The government know that direct action alone will never be able to meet these targets—as does the Climate Change Authority, of course. This sets the government up for perhaps the biggest embarrassment of all, because they will have to acknowledge that Australia needs a carbon-pricing mechanism. There is going to have to be a market mechanism. Direct action, in and of itself, is not going to achieve the kinds of outcomes that this government is pursuing.

Seeing that the abolition of the Climate Change Authority stands to save the government a paltry $1.6 million annually, you really have to ask the question: what is the real saving being made by today's bill? Ordinary Australians might be forgiven for presuming that, in fact, this legislation is about saving face rather than about saving money.

So when you think that Labor actually established the Climate Change Authority to be an authority—an independent body—designed to sit outside of the strictures of party politics, you realise that that is the true reason the coalition are seeking its abolition. They know that as long as this authority exists, their medieval approach to climate policy will be embarrassed. By seeking to abolish the Climate Change Authority, the government is taking a crucial resource from every community in Australia simply to limit their own embarrassment.

But the Australian community itself has demonstrated that it understands how critical the Climate Change Authority will be for our future. It crowd funded $1 million in a little over a week. That was a herculean effort. It is a fundraising effort that now ensures the Climate Council's survival should this bill proceed. That does not make this debate irrelevant. On the contrary, it heightens the yawning chasm between the concerns and the hopes of the Australian people and the obstinacy that is the government's position at the moment.

Coalition members and senators have continually returned to the argument that they have a mandate to deconstruct Australia's Clean Energy Future. Twenty thousand donations to the
Climate Commission in just one week show that the Australian people support climate action. It is alive and well in Australia. This is, according to the Climate Commission, actually the biggest crowd-funding campaign in Australia's history.

When we think now about the public polling that is going on we find that the Newspoll figures continually ask the questions about climate change. There are enough figures to refute the Prime Minister's claim that he is acting on popular support. The Australian people believe that we must take action on climate change. Older Australians believe we must take this action for generations in the future, for our farming communities, for our farming industries, for coastal communities, for the Great Barrier Reef and for all the natural resources that we have in our country. To ignore the reality of climate change is a folly that we should not allow this government to get away with.

Then there is more evidence that refutes the existence of the imaginary mandate that this government professes to have. If we go back to the exit polling conducted by the Climate Institute on the election day we find that Tony Abbott's views on carbon pricing and on climate change are:

... sharply at odds with the views of the electorate.

Again, I can quote from some additional exit polling which says:

National exit polling done on behalf of the Climate Institute showed that voters' primary concern was for the economy and jobs (31 per cent) ...

I think voters everywhere would be very concerned by what has happened in the last week about jobs and the economy the polling continues:

... with climate change (5 per cent) and carbon tax (3 per cent) significantly lower. Even among Coalition voters only 3 per cent listed the carbon tax as a top issue.

So the coalition has an obstinate attitude to climate action and its opposition has been incessant for the past six years.

Hansard shows that 'carbon tax' is the most overused term by coalition members and senators, having been spoken more than 14,000 times in the last parliament between 2007 and 2014. Their strategy was to repeat something often enough for it to be believed. I feel that perhaps the only people who believe this are the coalition members themselves. The only Australians who are actually convinced by all of that repetition are those attempting to pass today's bill. This is a bill that does not deserve to be passed. It is not deserve the support of Labor and the opposition. We will not be supporting the bill.

Senator POLLEY (Tasmania) (18:49): I rise tonight to speak against the coalition's determination to hack away at another body that is vital to Australia's efforts in combating climate change: the Climate Change Authority. Last year, I spoke in this chamber about the government's determination to scrap the Clean Energy Finance Corporation—never mind that the CEFC makes the Australian government a four per cent profit, which is above the government's bond rate, or that it has leveraged $1.5 billion worth of private funding in a very short period of time. Never mind, also, that it has led to $2 billion worth of clean energy.

Debate interrupted.

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order! Thank you, Senator Polley. It now being 6.50 pm, I call on consideration of government documents.
The following government documents tabled earlier today were considered:

Environment Protection and Biodiversity Conservation Act 1999—National and Commonwealth Heritage Lists—Report for the period 1 July 2008 to 30 June 2013. Motion to take note of document moved by Senator Bushby. On the motion of Senator Bushby debate was adjourned till Thursday at General Business.

Productivity Commission—Report No. 67—Safeguards inquiry into the import of processed fruit products, dated 12 December 2013. Motion to take note of document moved by Senator Bushby. On the motion of Senator Bushby debate was adjourned till Thursday at General Business.

Productivity Commission—Report No. 68—Safeguards inquiry into the import of processed tomato products, dated 12 December 2013. Motion to take note of document moved by Senator Bushby. On the motion of Senator Bushby debate was adjourned till Thursday at General Business.

Treaties—Bilateral—Exchange of Notes, done at Canberra on 21 November 2013, constituting an Agreement between the Government of the United States of America and the Government of Australia to amend the Agreement concerning Space Vehicle Tracking and Communication Facilities of 29 May 1980, as amended (Canberra, 21 November 2013)—Text, together with national interest analysis. Motion to take note of document moved by Senator Bushby. On the motion of Senator Bushby debate was adjourned till Thursday at General Business.

Treaties—Bilateral—Agreement on Scientific and Technological Cooperation between the Government of Australia and the Government of the Socialist Republic of Viet Nam (Canberra, 26 June 2013)—Text, together with national interest analysis and annexure. Motion to take note of document moved by Senator Bushby. On the motion of Senator Bushby debate was adjourned till Thursday at General Business.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order! I propose the question:

That the Senate do now adjourn.

Global Alliance for Vaccines and Immunisation

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (18:52): I rise tonight to highlight the work of the Global Alliance for Vaccines and Immunisation and to implore the new government to continue to appropriately finance its important work. The mission of GAVI is to save children's lives and protect people's health by increasing access to immunisation in the world's poorest countries. Since 2000, GAVI has supported over 240 million additional children who might not otherwise have had access to vaccines and has prevented over four million future deaths.

Australia has played an important role in supporting the critical work of GAVI and saving lives, by significantly scaling up its contribution to the fund in recent years. The Australian government, under Labor, contributed $200 million in direct funding to GAVI over the 2011-13 period. The current 2014 contribution is $5 million, which is a part of the 20-year $250 million committed to the International Finance Facility for Immunisation by the former government. The previous Australian government had committed to grow Australia's assistance to more than $100 million a year by 2015-16. However, the new government has so
far made no announcement about Australia's direct funding contribution to GAVI for the 2014-15 financial year and beyond.

Given the announcement on election eve that the coalition would reduce Australia's development assistance by $4½ billion, there is much less in the pot for future pledges. This is money to fund the vaccinations of the poorest children in the world, many in our Asian region. Late last year, the new government announced a reduction in funds to the Global Fund to Fight AIDS, Tuberculosis and Malaria. Last year, the Australian contribution to the global fund was at the historic high of $100 million. Instead of increasing our contribution to the expected $125 million per year, the new government reduced it to half that—around $67 million per year. The cut is despite countries on our doorstep continuing to battle against the three pandemics. This approach should not be taken in the case of GAVI. The government should shield this vital organisation from its cuts. GAVI is consistently one of the most top-performing development organisations in the world. In July 2013 the UK government ranked GAVI as the best value for money for UK aid, while in March 2012 the Australian government ranked GAVI as the strongest performing multilateral aid organisation.

In 2012, I travelled to Myanmar with GAVI and saw firsthand the organisation's tremendous work for mothers and their children. In Nay Pyi Taw, I attended the GAVI and Myanmar Ministry of Health launch ceremony for the pentavalent and measles second dose vaccines. With one injection, the pentavalent vaccine protects children against five deadly but preventable diseases: diphtheria, tetanus, whooping cough, hepatitis B and meningitis. The second dose measles campaign is to target those children who missed out during the first vaccination program earlier this year.

The Ministry of Health and GAVI use public launches to highlight the benefits of vaccinations and gain significant promotion across the country. It was heartening at this launch to meet parents and their children who had travelled from the regions surrounding Nay Pyi Taw to get their children vaccinated. I found a six-month-old set of twins waiting for their vaccinations with their mother. She knew from the information provided by GAVI and the Myanmar Ministry of Health about the effectiveness of vaccinations. No doubt, she would have known people who had suffered illness and mortality from the diseases being vaccinated against that day. She was taking her young children to receive their vaccines. Yes, she was lining up in the middle of a paddock, and the vaccines were being administered in a poorly resourced facility. But she knew that, with this vaccination, the chance of her young children contracting measles, whooping cough or one of the other preventable diseases was almost totally removed, and that vaccinating her children would reduce the prevalence of these diseases in her community, not only protecting her children but hopefully preventing other children from contracting a disease.

This story highlights the need for Australia to continue to invest, through our overseas development assistance program, in health system strengthening across the developing world. It highlights the need for Australia to properly finance GAVI. The poorest of the poor in our region depend on its work for a chance to beat diseases unheard of in our country for decades. I implore the new government to continue to increase Australia's contributions to the Global Alliance for Vaccines and Immunisation this year and each year into the future.
Australian Broadcasting Corporation: Jim Maxwell

Senator FAULKNER (New South Wales) (18:57): In recent weeks controversy has dogged the Australian Broadcasting Corporation. The ABC has been making news, not just reporting it. But tonight I want to acknowledge a remarkable ABC milestone—certain that my remarks will not be controversial and confident that they will be supported by all senators.

In December 2013 the voice of Australian cricket, Jim Maxwell, celebrated a remarkable 40 years of sports commentary with the ABC on radio and television. Jim Maxwell is the ABC’s most experienced cricket commentator. His career has been extraordinary, covering over 250 test matches, including six tours to the West Indies, seven to the subcontinent, over fifty Ashes tests and five world cups since joining the ABC as a trainee in 1973. Jim has also been a constant fixture on the BBC’s test match special team for many Ashes series. His knowledge of the game, his wit and his conversational style of commentary have won him a legion of fans and made him an Australian sporting institution.

Jim Maxwell learnt his craft under the tutelage of the remarkable Alan McGilvray, whose ABC commentary career spanned more than 50 years. For the past 13 years, Jim has shared the ABC Grandstand commentary box with Kerry O’Keeffe, who recently announced his retirement. Their formidable partnership—built on knowledge of the game, not to mention odd-ball humour—will be missed by many avid listeners.

Jim has by no means limited himself to the summer game. He has been behind the ABC microphone to cover hockey at three Olympic Games, as well as rugby league from 1981 to 1990 with the legendary Reg Gasnier, more recently Super Rugby, not to mention show jumping and even table tennis! Since 1988, Jim has also shown he is more than handy with the pen by editing Australia’s longest-running cricket publication—the ABC Cricket Magazine—or ‘cricket book’, as so many of us know it.

I know that Jim Maxwell generously supports many community and charitable causes—including his important work as President of the Primary Club of Australia. I congratulate Jim Maxwell on his first 40 years and look forward to many, many more years of hearing Jim’s voice on the ABC.

Immigration: Visas

Senator DASTYARI (New South Wales) (19:01): Immigration Minister Scott Morrison is undermining the integrity of our visa-processing system by issuing needlessly cruel instructions to his department. In December, under powers granted by section 499 of the Migration Act, the Minister for Immigration issued a ministerial directive instructing staff at the Department of Immigration and Border Protection to accord the lowest possible priority to the processing of family-stream visa applications for people who arrive in Australia by boat.

At first glance this harsh directive may seem to be in line with the government’s efforts to prevent arrivals by boat, but the minister’s decision to apply this directive retrospectively to the bearers of protection visas is grossly unfair and needlessly cruel.

While I respect the minister’s right to issue instructions to his department, I call on the minister to only apply this directive to future applications. The directive penalises those who have already demonstrated conclusively and unequivocally that they are genuine refugees and who have satisfied all evidentiary and procedural standards that we have asked of them. They have made their commitment to Australia. Those affected by the ministerial directive have
received letters from the Department of Immigration and Border Protection advising that they have been identified as illegal maritime arrivals, that their applications will only be considered after all other applicants, that this will likely take several years, that they should cancel any travel plans and that their application fees will not be refunded.

Let me be clear about a couple of matters that are important to the context of this announcement. Firstly, I agree with the stated policy position of both the Labor Party and other parties that we must be careful not to offer hope to those people who are seeking asylum by entering Australian territorial waters by boat. We have to have robust policy in place to determine asylum claims both onshore and offshore and we must preserve the integrity of our process. Secondly, I want to express my full support for and confidence in the staff at the Department of Immigration and Border Protection and other government agencies that evaluate applications for asylum. This process is essential to our national security and to our obligations under the refugee convention. To ensure the full confidence of the Australian public, we must maintain the high standards of integrity. I commend the public servants who vigorously examine all asylum claims, who carefully determine whether subsequently to grant refugee status and then perform all necessary background checks to decide whether to grant a protection visa.

It is because I have confidence in our existing system that I think this ministerial directive is grossly unfair. The minister has gratuitously penalised people who have satisfied his department that their application for asylum is genuine, that their status of refugee is genuine and that their right to a protection visa is genuine. Since arriving in Australia, these people have first been subjected to our immigration detention system and then, since joining our communities, they have abided by our laws, entered our economy and given no-one any reason to doubt their character. Many have been living freely here for several years. If they then choose to sponsor family members to join them in Australia, let the Department of Immigration and Border Protection consider any application on its merits in the normal process of evaluation and without further administrative penalty. By applying this directive retrospectively, the minister is undermining the very idea of fairness that we all, across the political spectrum, are in this Senate to preserve. I call on the Minister for Immigration to allow the bearers of protection visas to have their family-stream visa applications considered fairly on their merits and in accordance with our existing procedures.

Ovarian Cancer

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (19:06): I rise tonight to speak on ovarian cancer, which affects many thousands of Australian women and impacts on the lives of their families and friends. I think this evening's adjournment debate is a timely opportunity to speak about ovarian cancer quickly—though I do not want to gloss over it; it is a very important issue—because February is Ovarian Cancer Awareness Month, which is organised by Ovarian Cancer Australia. The awareness month campaign highlights the symptoms of ovarian cancer and raises funds for the various programs run by Ovarian Cancer Australia.

Unfortunately, the statistics on ovarian cancer are quite grim. We do not know what causes ovarian cancer in all cases, but it can affect women of all ages. This is the point I really want to make tonight: you do not have to be a woman over 50 to be in danger of contracting ovarian cancer. Each year in Australia around 1,400 women are diagnosed with ovarian cancer.
cancer and more than 1,000 women die from the disease. One of the reasons that this illness has such tragic outcomes is that women are often—I think it is in 75 per cent of cases—diagnosed at an advanced stage, in which the cancer has spread and is difficult to treat successfully. At the moment only 43 per cent of women with ovarian cancer will be alive in five years’ time.

But, if it is diagnosed at an early stage, women have an 80 per cent chance of being alive and well after five years. I am proof of this. Some 20 years ago, when I was in my early 30s, it was discovered that I had the beginnings of ovarian cancer. I had to undergo quite radical surgery, but the disease was caught early and, obviously, I have survived. This is why I say to people that there can be really great outcomes if they catch this disease early. It is so important that we all get behind Ovarian Cancer Awareness month to make women aware of the symptoms of the disease early. The earlier you seek treatment, the greater the chance that the outcome will be happy—and, as I said, I am living proof of that.

It can be difficult to diagnose ovarian cancer. Many women experience similar symptoms to those of the disease from time to time, as they are often also symptoms of less serious and more common health problems. Women who are diagnosed with ovarian cancer report four types of symptoms most frequently: abdominal or pelvic pain, increased abdominal size or persistent abdominal bloating, the need to urinate often or urgently and feeling full after eating a small amount. There are other symptoms as well, but they are the key four that get reported. I would encourage anyone, if they have such symptoms—especially if they are new for them and if they have experienced them multiple times during the last month—to at least download the Ovarian Cancer Australia symptom diary from the website ovariancancer.net.au. It will help you monitor your symptoms, and then you can take your completed diary to the doctor to assist with diagnosis. It is also available as an app for Apple iPhones, and you can simply go to iTunes app store and search ‘KISS & makeup’.

I would urge anyone who has any concerns to go along and get checked. It is better to go in early and not to have it than to risk a late diagnosis. There are a whole lot of resources available on the ovarian cancer website, including a guide to ovarian cancer, called Resilience; information and support solutions; patient support groups; online forums for those living with the disease; information on treatment and clinical trials; an online forum for families and friends; fact sheets; links to important information; and a whole lot more. The resources include the personal stories of women who are living with or who have lived with the disease. While each woman’s journey with ovarian cancer is different, these stories will allow people to gain a greater understanding of what is involved in the diagnosis and treatment of the disease.

Ovarian Cancer Australia supports and promotes excellence in ovarian cancer research nationally. Tomorrow night at parliament house there is non-partisan event hosted by Gai Brodtmann, Kelly O’Dwyer and Sarah Hansen-Young. I urge all senators and members to go along to it and make a donation. Ovarian Cancer Australia is aiming to raise $500,000 from 500 community events over this month alone. It is a female-only event, but to all members of the parliament I say: please try to make sure you attend this event. *(Time expired)*

**Western Australia: Shark Culling**

**Senator PRATT** (Western Australia) (19:11): A couple of weekends ago it was a terrific privilege to stand side by side with thousands and thousands of Australians—in particular,
West Australians—at Perth's Cottesloe Beach to protest against the Western Australian shark kill policy. This is an appalling policy of Premier Barnett. The majority of Western Australians understand that the ocean is the natural habitat of sharks, yet Premier Colin Barnett and minister Greg Hunt are mutually complicit in this bad policy. Greg Hunt has approved it with absolutely no evidence that it will prevent any deaths. He signed an exemption to the relevant act on 10 January, but he waited 10 days before making it public. I am not sure about the reason for this secrecy. Maybe it is another example of the general veil of secrecy which we are used to with the Abbott government, but I suspect that he felt that, without the delay, he would have been exposed for having made the decision in a rush without any evidential basis for having done so.

Under the relevant act, our national environment minister may only allow exemptions in the national interest—in the interests of defence, security or national emergency—so it is clear that Minister Hunt is vastly overreaching. I believe that he has made the exemption against the national interest. There is no evidence that the shark cull will in any way guarantee the safety of people in the ocean. The making of the exemption damages our conservation values and international commitments. Also, the WA fisheries department has said that the cull is unlikely to be effective. In fact, in their document \textit{Likely effectiveness of netting or other capture programs as a shark hazard mitigation strategy}, they make the following points:

Shark Control Programs result in the capture of a wide range of by-catch species including marine mammals, marine turtles, and sharks and rays not implicated in unprovoked attacks on humans. Shark control activities would pose a risk to dolphins ... Furthermore, drum lines, due to their environmental impact, are not recommended. Labor would not have approved this exemption. Colin Barnett and Greg Hunt are equally culpable for this appalling policy. It requires a proper environmental impact assessment—and, if one were undertaken, it is doubtful whether the policy would stack up.

Sharks caught on drum lines can, in fact, attract other sharks—as reported by Fisheries crews. Is it any wonder that organisers of the Rottnest Island swim said: 'Please take the drum lines away before we swim to Rottnest. We do not want these drum lines here because we consider them a potential hazard.' The environment seems to come last in everything the Liberals do at the moment. Whether it is marine conservation or forests, there is carte blanche to operate without recognition and consideration of our significant natural heritage. Shark attacks, while rare, are indeed terrible tragedies. But the money being spent on this shark control program could save more lives if it were targeted at our hospitals, our mental health system, road safety or learn-to-swim programs. Many more people drown every year than will ever be killed by sharks. We really need to think about whether this is an efficient thing to do.

We also need to think about the biodiversity impacts of this policy. Sharks are absolutely vital to the ecosystems of our oceans. Dead sharks equals dead oceans equals a dead planet. So we really need to respect this species. Shark fishers are concerned about the potential loss of breeding stock. I think there is a good direction here for WA to go with the shark barrier off Coogee. In closing, I stand by those who are taking a stand against this terrible policy.

\textbf{Ovarian Cancer}

\textbf{Senator POLLEY} (Tasmania) (19:16): I rise in the interest of promoting awareness of ovarian cancer in this Ovarian Cancer Awareness month of February. Unfortunately, since I
Last spoken, a cure has not been found and, since I last spoke, over 1,300 women have received the devastating and breathtaking news that they have ovarian cancer. Of these women, due to a lack of adequate screening techniques and non-specific symptoms, most are diagnosed in the advanced stages of the cancer and only 18 per cent of those diagnosed will survive past five years. This means that, on average, four Australian women are diagnosed every day and three of these four women will die.

Six out of 10 ovarian cancer cases occur in women over the age of 60, with 63 being the average age of diagnosis. One in 90 will develop ovarian cancer in her lifetime, with ovarian cancer now being the ninth most common cancer diagnosed in women.

On a more positive note, I will briefly acknowledge some exciting developments over the last 12 months in research being conducted here in Australia and around the world. As reported in the journal *Immunity* in September 2013, a study conducted by the University of Michigan has suggested that a group of immune cells, known as myeloid derived suppressor cells, could be giving cancer a hand by bolstering cancer stem cells, which are the small number of cells within a tumour that aid its growth. This also allows the tumour to create a constant supply of new cells. Myeloid derived suppressor cells suppress the immune system by inhibiting T-cell activation. T-cells help fight disease by eliminating cancer cells and cells infected with viruses and bacteria. These stem cells are also responsible for resistance to therapies like chemotherapy and radiotherapy treatments. By eliminating these stem cells in tumours, scientists believe they have a much better chance of eliminating the cancer altogether. These cells are also believed to suppress the immune system. The aim is to find a drug to target these two areas. As Professor Weiping Zou stated:

Essentially, we kill two birds with one stone.

In February 2013, the Garvan Institute of Medical Research, led by Dr Goli Samimi, announced a world-first breakthrough, identifying specific biological changes in DNA. Potentially, this could lead to screening high-risk groups with a family history of cancer. This breakthrough makes a blood based screening test a highly promising prospect.

In September 2013, scientists from Cancer Research UK found a gene in mice that could protect against ovarian cancer. Further, if this gene is faulty, that may increase the chance of the disease developing. This gene, known as HELQ, helps repair any damage to DNA that happens when it is copied as cells multiply. If this gene is missing or faulty, DNA errors could mount up, increasing the chances of cancer developing. This research found that mice without either of the two copies of the HELQ gene were twice as likely to develop ovarian tumours, as well as becoming less fertile. Even losing one copy was enough for the mouse to develop more tumours. Researchers are excited and believe their findings show that, if this relationship exists in mice, this may also be true for women. This could potentially lead to women being screened for these errors in genes that might increase their risk of ovarian cancer. Dr Julie Sharp, the senior science manager from Cancer Research UK, stated:

As we know diagnosis is difficult and early detection is vital to be treated successfully. The more we know about the causes the better we can work out how to detect and treat.

In October 2013, another Cancer Research UK study identified chemical tags on DNA in patients' tumours that could help doctors determine the type of chemotherapy a women with advanced ovarian cancer should receive. According to the journal *Clinical Cancer Research*, these tags are found in DNA and behave like a switch controlling the gene, turning them on or
off. Studies have shown that, if the process malfunctions, it can lead to cancer development and affect how tumours respond to treatment. These scientists believe these tags are important in ovarian cancer and that we may be able to tailor treatment according to these tags, leading to better outcomes.

In addition to predicting how likely it is that a patient's tumour will come back, research like this means that we now know more than ever before about how our genetics underpin cancer. Genetic tags are already used to determine which treatment should be given to patients with some cancers, such as breast cancer. But there is still more to be done. Understanding how ovarian cancer differs, via these tags, will potentially aid doctors and help them to determine the appropriate treatment. We hope that studies like this could lead to improvements in the treatment of people affected by all cancers.

In November 2013, further cancer research from the United Kingdom found that where a drug was given along with chemotherapy it extended the life of the cancer patient by an average of three months compared to those only given chemotherapy. Professor Jonathan Ledermann, chief investigator at Cancer Research UK, acknowledges that whilst this development seems modest it is a significant finding for women with advanced cancer. This drug is the first of its kind shown to delay tumour progression and to improve the overall survival rate in recurrent ovarian cancer. It works by inhibiting tumours from creating new blood vessels that are essential for cancer growth. It is worth noting that, like most cancer treatments, progress in ovarian cancer research is incremental. Over time, when added together, the small benefits derived from the many research programs like this make a huge difference to patients' lives.

Penny Webb, an associate professor at the Queensland Institute of Medical Research, is looking at many lifestyle factors that might improve survival rates for women with ovarian cancer. Professor Webb stated:

What's known so far is that the less a woman ovulates in her lifetime, the less likely she is to develop ovarian cancer. That's why anything that puts ovulation on hold—pregnancy, breastfeeding or the contraceptive pill—helps lower the risk, while not having children can increase it.

One of the factors that Professor Webb is currently looking at is how vitamin D has been shown to inhibit the proliferation of cancer cells and to induce cell death in ovarian cancer cells in the lab. Lastly, as recently as 6 February 2014 the Journal of the National Cancer Institute reported that women who take aspirin daily may reduce their risk of ovarian cancer by 20 per cent. Previous studies have suggested that the anti-inflammatory properties of aspirin may reduce the risk of cancer overall.

However intriguing these results, researchers stress that additional research is required and, at this point, existing research should not influence current clinical practice. There is so much wonderful research being conducted and the tremendous work is inspiring and promising. However, we also need to raise awareness. A recent survey conducted by Ovarian Cancer Australia shows three out of five women incorrectly believe that ovarian cancer can be and is detected by a pap smear. This survey also brings to light that many women incorrectly believe that the cervical cancer vaccine also protects against ovarian cancer. Alarmingly, only eight per cent of women are concerned about ovarian cancer, despite one woman losing her life to the disease every 11 hours. Currently 30 per cent of ovarian cancer patients do not respond to
chemotherapy and another 40 per cent may develop resistance to chemotherapy during treatment.

In closing, I can only imagine that a diagnosis of ovarian cancer would involve a daunting journey that must be full of physical, emotional, psychological and practical challenges. Like all cancers, the journey not only affects the patient; it also affects the whole family of the patient and our greater community. This devastating news can only be met with disbelief and fear of what lies ahead—not to mention the thought of treatments like surgery and chemotherapy.

I am hopeful that through all the incredible research being conducted an early detection test is not far away. As we know, if ovarian cancer is diagnosed and treated early there is a 90 to 100 per cent chance of a patient surviving past the five-year mark.

I speak on this topic on an annual basis, because we need to ensure that the public are talking about this cancer—that women are talking about it with their daughters, with their mothers, with their aunts and with their sisters—to ensure that they insist in getting a second opinion should they not be satisfied with what their doctor is telling them. I urge you to support Ovarian Cancer by purchasing a teal ribbon on 24 February. And, as Senator Bilyk said, she is a survivor. I hope that we will continue to research this important subject. (Time expired)

Western Australia: Shark Culling

Senator SIEWERT (Western Australia—Australian Greens Whip) (19:27): I rise to talk yet again about the appalling shark cull program currently being undertaken in my home state of Western Australia. Over summer we had two very large protests in Western Australia about the state government's shark catch and kill program. On 1 February I joined over 6,000 Western Australians on beautiful Cottesloe Beach, as well as thousands more people around the world, protesting to protect our sharks—something the Western Australian government and the federal government will not do. These people gathered to express their disappointment and anger about Premier Barnett's approach to shark management in Western Australia and the complicity of the Abbott government in the culling of a protected species, the great white shark. This strategy will also have an impact on other sharks such as tiger sharks and bull sharks, and other marine life.

The Western Australian government's catch-and-kill policy is a knee-jerk reaction to a perceived increase in the risk of shark attack. It lacks the backing of science—it has been criticised across the planet for its lack of science—and has not been subject to adequate scrutiny at a state or federal level. It should be ended immediately. The exemption for this policy should be revoked and the policy should be abandoned. Over the past few weeks, drum lines have been installed along the Western Australian coast, including off Perth's most popular beaches. You can see the buoys for the drum lines just off the beach.

The state government is refusing to release information about the impact of this appalling policy. Surf Life Saving WA is reporting on the cull through tweets—it is being left up to the community to report and pull together figures. As far we are aware, four sharks greater than three metres have been slaughtered and six have died after being caught on a line—drowned, injured or attacked by other sharks or predators while on the hook. There are at least 26 sharks of less than three metres in length that have been released, some of which, we understand, are
injured, and we do not know what their fate has been. One shark under one metre in length is reported to have died on the hooks. This is despite the Barnett government's pledge that the hooks would be too big to catch smaller sharks. The state government is in breach of the undertakings it gave to the federal government when it sought an exemption to this appalling policy.

When it comes to the number of sharks being caught, as I said, the community has been left to rely on media reports, observations that are undertaken on the water and Surf Life Saving WA, which is tweeting when it knows a shark has been released off a beach. The state government has a responsibility to report this information to the community and, certainly, to the federal government. I am wondering how much of this information the federal government already knows—or is it also relying on media reports to find out what its exemption has done to these sharks? We also do not know anything about how any of the other marine life has been affected by these drum lines, because we know that drum lines affect other marine life.

Let me be clear: while this is a WA policy, it would not have gone ahead without the exemption from the federal government—without the complicity of the Minister for the Environment, Mr Hunt, who gave this program an exemption. Without that exemption, this policy would have at least been assessed. So Western Australians hold the federal government responsible, including Mr Hunt and Mr Abbott, for this cull policy—because that is what it is. Make no mistake: this is a culling of sharks. The federal government is just as responsible as the state government for this cull.

The exemption granted by Minister Hunt allows the killing of tiger sharks, bull sharks and great white sharks. It does not allow the killing of sharks that are under three metres in length, but it is clear that the drum lines are in fact catching and harming sharks outside of the target size—in other words, under three metres long. As I outlined, the vast majority of species that have been caught on the drum lines are not the target size; they are under three metres long. We also do not know what long-term impact it will have on the marine ecosystem.

The Department of Premier and Cabinet in Western Australia have confirmed today that sharks caught on drum lines were being attacked, both in the south-west and off Perth. They have not said how many sharks have shown signs of attack, but at least two have been reported. The WA government have said only that these incidents are 'in a minority'. This lack of detail is yet another example of the government avoiding proper scrutiny of this policy. Sharks that are caught in drum lines and then released can sustain potentially life-threatening injuries from the hooks themselves or die while waiting to be released because the lines are not being checked 24/7. This of course adds to the potential for attacks from other sharks and other predators. We also do not know how many sharks are dying once they are released from the drum lines. The RSPCA have raised concerns about the difficulties of killing larger sharks humanely and have questioned whether the contracted fishermen involved have the necessary expertise.

Minister Hunt needs to look into these issues immediately. Sharks play a critical role in the health and wellbeing of our ocean's ecosystems and they are an apex predator. Western Australians know this, and that is why they are responding as they have—much to Mr Barnett's surprise, I bet—to this appalling policy. This cull policy is being condemned by Western Australians and other people around the planet who care about the marine
environment and care for sharks. They know that sharks are essential to maintaining the balance of the ecosystems and allowing the populations of other creatures to remain at healthy levels.

Great white sharks are a protected species. They are vulnerable species listed under the Environment Protection and Biodiversity Conservation Act. The Minister for the Environment has a responsibility—or should I say 'had a responsibility', because he has exempted himself from that responsibility—to look after these sharks and the other marine species that are being caught under this appalling policy. He granted an exemption based on a number of conditions, and one of those was that WA would use hooks that were of a size that they would cause as little harm as possible to smaller sharks. That is not what is happening, because the vast majority of sharks being caught on these drum lines are under three metres long. The Barnett government are not meeting that condition. Clause 23 of the exemption says that, if they are not meeting the conditions outlined in paragraph 17, including the one I just outlined, the policy should be reviewed and the exemption could be revoked.

This policy should be revoked immediately. It is harming sharks. It is harming marine ecosystems and has no place in the management of marine ecosystems. But I suppose we should not be surprised, given that it is the Abbott government that essentially suspended our world-leading national system of marine protected areas. Last December, as the parliament rose, the Abbott government—again, in secrecy—essentially abandoned the marine protection management system. It is basically now lines on maps. What else could I expect, really, from the federal government but for them to wash their hands of the need to protect a vulnerable species? The great white shark is a vulnerable species. The government have not relied on the science on this. It is a knee-jerk reaction. The exemption should be revoked, and the cull should be abandoned because it is not achieving what the Barnett government said it would achieve. It is taking undersized sharks and it had led to the death of four tiger sharks— (Time expired)

Closing the Gap

Senator O'NEILL (New South Wales) (19:37): It is my pleasure to rise this evening to speak to an issue that I hope will be very significant for many Australians and will take a very prominent place in our national considerations tomorrow—and that is the Closing the Gap report, which is set to be delivered for the sixth time.

Closing the Gap is something which I hope Australians are becoming familiar with, but I thought in my opening remarks I might refresh people's memory. The Closing the Gap report, which is presented in the first week of parliament each year, is a commitment by all Australian governments to improve the lives of Indigenous Australians and, in particular, to provide a better future for Indigenous Australian children. When I think of the issues that will be reported on tomorrow, I particularly think of the young children being born in this country today. There are women who are going through labour right now, as we speak in this place, who will give birth to young Australians. We know that today some children being born into an Indigenous family will live a far shorter life than an Australian being born to a non-Indigenous family. This is a great national shame and it requires constant and focused attention at every level of every government.

The good news is that, in the six years since Closing the Gap was initiated by the Labor government—and it is continuing under the new Liberal-Nationals coalition—COAG has
agreed to specific time frames for achieving its six targets. These six targets are very important, and when I read them I think: how can it be that this year it is the reality for Australians being born in the same country as me but to Indigenous families?

Our first goal is to close the life expectancy gap within a generation, and for that we have given ourselves a target of 2031. Our second goal is to halve the gap in the mortality rates for Indigenous children under five within a decade—and that decade is ticking over. The date we have set is 2018, and it is pressing on us. We need to keep our eye on the prize of delivering that important and essential life opportunity. Our third goal is to ensure that, within five years, there is access to early-childhood education for all Indigenous four-year-olds in remote communities. I am very happy to put on the record again here today what was noted in the report last year, which was that we actually met that target in 2013. This was the year we set as our deadline for achieving that goal. I may have some more words to say about the importance of early-childhood access, if time allows me towards the end of my speech.

The fourth goal that we seek is to halve the gap in reading, writing and numeracy achievements for children within a decade, again, by 2018, and to halve the gap in Indigenous year 12 achievements by 2020. I reflect on the comments by Senator Scullion today about school attendance: that should already set the alarm bells ringing. It is hard to be successful at school if you are not attending. Sadly, failure at school is too often linked to terrible health outcomes, shorter life expectancy, lower income and a life of significant and sustained disadvantage. Our final goal is to halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade—by 2018, and that date is close approaching.

These are worthy goals, and they will require considerable effort. I am pleased to report to the House that COAG has committed an additional $4.6 billion investment to Indigenous-specific programs—at least that was the case, because I do have some concerns at this point in time, given the rhetoric and practical action of this new government, about cutting significant amounts of funding support to Indigenous communities and the most vulnerable in those Indigenous communities. The targets I have just described already indicate these communities are suffering considerable disadvantage in this great countries of ours.

To that end of enhancing awareness of Closing the Gap and making sure that we continue to pay attention, and ensuring that we do not lose our focus, I took the opportunity in my opening speech to the Senate to indicate that I would put a motion to the Senate that would propose a joint meeting of the houses of this parliament, the Senate and the House of Representatives, to give status and due recognition to the importance of this report as part of our national psyche and our national endeavour, as a collective, across many parliaments, sadly, to achieve these goals. I am pleased to say that I was supported by all members on this side of the chamber. At the time, the government opposed this proposal; but, nonetheless, it did pass the Senate and a message was sent to the House of Representatives. I am pleased to note that yesterday afternoon senators were advised that we had been invited to attend—it is rather short notice, and I do not know how many senators will be able to make that occasion tomorrow, but it is an indication of good will, at the very least, that we begin to properly and symbolically acknowledge how critical this work is for this place and for the leading parliament of the nation.
One of the things that I also raised in my speech was that, apart from the power of the parliament to give significant symbolic impetus to the status of the report, in my time as a member of the House of Representatives I have noticed that increasingly fewer and fewer of the media have been in attendance to receive the report. It is not that they were not paying attention up in their media centre and getting the information out—I understand that—but when we report on the items that I describe as our targets for Closing the Gap, I believe that we are reporting to the First Peoples, to whom we need to give redress. The chamber should be filled with leaders of Indigenous communities from all around this country. The chamber should be filled with people who share a passion for the redress of this great shame in our country. I am sure there are enough media people present in this place to have at least a few of them in the gallery to acknowledge that. What will it mean to our Indigenous brothers and sisters that we continue to pay attention, that we attend physically, morally, emotionally and financially with 100 per cent of our attention to this goal from which we will not avert our gaze?

What I can say about Closing the Gap is that we have seen, in the past, comments about the power of parliament being degraded by people saying parliament cannot make a change. Even the national apology was once described by Mr Abbott as a campaign for something that was going to add a sense of grievance on one side and guilt on the other. But I am expressing my hope that there has been some significant change in the Prime Minister's position and that, after the 'sorry' speech, he was awakened to the fact that we can indeed achieve great things and that the parliament has a role to play in it.

What I am concerned about is that the power of that rhetoric, and the symbolism of this place, requires money to match it and this government is off to a shaky start with the announcement of a series of cuts and reviews that threaten to further marginalise Indigenous Australians. We know already that millions of dollars in funding for Indigenous legal assistance has been cut, that billions of dollars in school funding has been cut, and we sense impending cuts to welfare which have been much announced. My fear is that such policies will only serve to exacerbate the inequality between Indigenous and non-Indigenous Australia.

I want to acknowledge the Indigenous Advisory Council and the work of Warren Mundine, who I have personally seen make an amazing contribution to hundreds of young Indigenous people. But there is no reference to the Closing the Gap targets in the terms of reference for the Indigenous Advisory Council. I hope that does not indicate that we have taken our eyes off the prize. I hope it was just a very small oversight that can be rectified sometime very soon as we continue to put front and centre our acknowledgement that the conditions I describe, to which we aspire by these Closing the Gap targets, are untenable in this day and age. They are all Australians' responsibility. We need to pay attention to the report card, we need to put in more effort, speak more, notice more and write more—every single one of us.

**Abbott Government**

*Senator LUDLAM* (Western Australia) (19:47): Today marks 157 days since the federal election on 7 September last year, and it means we are about 15 per cent of the way through this government's one and hopefully only term in office. On a personal level it has been a challenging time. Mr Acting Deputy President Smith, as a Western Australian you will be aware that the election of Western Australian senators to this place is at this time still
unresolved and before the courts. I am sure I speak for people right across the political spectrum—members of parliament, their staff and families, and those voters of Western Australia who have had their confidence in the electoral system shaken—in saying the sooner this gets resolved the better. If, indeed, the only path to resolution is a fresh election for the Western Australian Senate, then the Greens are ready.

On a political level it has been a challenging time as well, although in a very different way. I first want to acknowledge this government's strengths. For its outstanding representation of wealthy, middle-aged, white, Catholic, heterosexual men, it is impossible to ignore the strength that this cabinet brings to bear. We knew from the moment the Prime Minister appointed himself as the Minister for Women, while abolishing the position of science minister, that we were in for a wild ride—and, of course, you have not disappointed. For a while, as government MPs lurched from one wedding expenses scandal to another, I allowed myself to imagine that perhaps their displays of incompetence would be confined to Australia. Australians are a forgiving lot. I thought maybe people would cop Mr Barnaby Joyce attending the weddings of Indian coal billionaires and flights for Liberal Party MPs to attend crucially important cricket matches at taxpayers' expense as long as everything was kept quiet and low-key—because, after all, you promised a grown-up government and a government of no surprises. I can just imagine the Indonesian government's surprise when we accidentally invaded their territorial waters a short time ago. If you want to transform Australia into a systematic regional human rights abuser, I guess you are going to have to break some eggs. Presumably, as long as we keep tapping the phone of the President of Indonesia's wife, we will be able to keep an accurate gauge of just how surprised they continue to be.

The Prime Minister appears to be cultivating the impression that he does not know what is going to come out of his mouth until he hears it. It might be applying his sophisticated geopolitical analysis to the nightmare unfolding in Syria as 'baddies versus baddies' or—and here is a local example—justifying the withdrawal of all Commonwealth public transport funding as 'a mental health initiative'. The Prime Minister, when in opposition, said better roads mean better communities; they are good for our economy, good for our society, good for our physical and mental health. This kind of thing must drive the Prime Minister's media advisers absolutely mad. But everyone stuck in a traffic jam from here on can breathe deeply the carbon monoxide and know that your world-class public transport services have been cancelled until further notice because our PM has declared that there will be no rapid buses or light rail under a government he leads.

We launched our campaign for light rail in Perth in the run-up to the 2007 election, and it has been one of the best campaigns that I have ever had the privilege to work on. We took it from a 7-page sketch to a serious project with half a billion dollars of Commonwealth funding committed and a small but very motivated project team working—credit where it is due—under the Barnett state government. Premier Barnett spectacularly dropped the ball and, in the smoking wreckage of the state's AAA credit rating, light rail was one of the state's first casualties. The Greens are determined to pick it up and run with it, and we will get it built sooner or later. We used the idea of fast electrified public transport as the basis for a project called Transforming Perth, which is a joint study with the Property Council and the Australian Urban Design and Research Centre, who put us in touch with urban theorists and also those in the development industry who knew a little bit about developing cities along public transport
networks. The study looks at what a transformed city could be if we created diverse affordable housing along public transport arteries. It has been a remarkable collaboration.

Looking at overseas examples for the last few years, and amazing innovations in renewable energy, some of them from right here in Australia, has given the Australian Greens enormous optimism about the future of the clean technology sector. Our work with engineers and those from Sustainable Energy Now, in WA, in the development of the Energy 2029 clean energy plan for 100 per cent renewable energy for the south-west grid has similarly set up a cause for optimism in just how much progress we could make in Western Australia given the opportunity—even as this very government gears up to deliberately bankrupt the clean energy industry in this country.

There is so much optimism around the world, and there is so much energy that can be leveraged towards the renewable energy or the clean energy transformation of our cities and regional areas, that it is really difficult to comprehend the systematic hostility that is being brought to bear in the attack on clean energy—on everything from household PV right up to large-scale utility baseload, or better-than-baseload, solar industry—that seems to be implicit in your attack on the Clean Energy Act and the Clean Energy Finance Corporation.

So, as disaster prone as this government appears to be, something else is up. The lurching around, the gaffes, the unforced errors and the increasing signs of dissent from within the coalition's own party room could lead us to think that this will be a government that is buried under its own incompetence and gone in another two and a half years. I wish that were true. But I am not sure that it is, because I think what is going on here is much more dangerous. What looks random and chaotic is actually quite systematic. The government is working its way down the Institute of Public Affairs hit list of 75 radical ideas to transform Australia. I noticed they topped it up with another few dozen. This is not by any means a random list. It speaks to the systematic entrenchment of inequality, with attacks on trade unions and the national broadcaster, the privatisation of SBS, and the ruination of the environment. It is a manifesto of sorts for the unregulated corporate takeover of the country in order to liquidate its natural assets as rapidly as possible, no matter how many species go to the wall, no matter how many families slide into working poverty.

Of course, it does not have to be like this: we elected this government and we can unelect them. We cannot rely on this government to self-destruct. I was one of those who naively thought that they might do so from opposition and that the kinder and gentler and more moderate face of the Liberal Party might be revealed. It was unlikely then, and I think it is impossible now. What we need over coming years is old-fashioned organising to swing the pendulum back very, very hard. The only way to do that is to unite the disparate parts of civil society in opposition to the extremists that are running the show today.

Five months on and I think Australia is suffering from a remarkable case of political buyer's regret. That is what the polling seems to be showing. We do not have time for your government to get it, to rediscover that renewable energy—even as you have managed to preside over the implosion of the skilled manufacturing sector in this country—and that affordable, sustainable modular housing and that affordable, locally fabricated, renewable energy plants may be the answer staring you right in the face for skilled manufacturing employment in this country. I am not sure we have time to wait around for you to get it. We are going to need to drive the renewable transition despite this government, not because of it.
So if there is a by-election in Western Australia, by all means send your Prime Minister to WA, and we will put federal politics through a Western Australian lens. It is very, very rare, as you will know, Mr Deputy President, that that happens. Then we will find out just what people are thinking about the damage that you have done in the last short 157 days.

**Gove**

*Senator PERIS (Northern Territory) (19:55):* I rise tonight to speak in the adjournment debate on the situation in the Gove community of the Northern Territory, which is facing the closure of the Rio Tinto refinery in the town. There has been much focus on the troubles within Australia’s manufacturing industry lately—and rightly so. Workers in the automotive industry in Adelaide, Melbourne and Geelong face a bleak future. So, also, do workers in Shepparton at SPC. There has been a great deal of attention on the plight of workers and their families, and my thoughts are with these hardworking Australians.

However, there has been less attention on the remote Gove region of the Northern Territory, a region that faces an equally uncertain future. It is a town where thousands of people face losing their jobs as a result of the announced closure of the Rio Tinto refinery. The plight of the people in Gove may have received less attention than other communities, but I am glad to say that it has not escaped the attention of the opposition leader, who travelled to Gove last Friday along with me, the member for Lingiari and the local Northern Territory member, Lynne Walker. I commend the opposition leader, Bill Shorten, for coming to Gove. It stands in stark contrast with the Prime Minister, who simply refuses to visit the town.

In a moment I will briefly outline the events that have led to the announced closure of the refinery, but I just want to point out that the closure of the refinery is also a broken election promise of the Abbott government. A coalition election policy document, 'Federal Coalition Supports Gove's Long Term Future', was released on 29 July last year. On the first page it stated that the coalition government would ensure a long-term solution that would keep the Pacific Aluminium Gove refinery open. They have broken this promise, and the refinery is closing.

The Gove community welcomed Bill Shorten last Friday. He met with many locals. The closure of the refinery affects everyone—the whole town. It affects the workers at the refinery. It affects the businesses in the town. It affects the Yolgnu people and the traditional owners who have an agreement with Rio Tinto. It affects the public servants, teachers, nurses, police and others who no longer have positions as the town shrinks. I can recall from my own personal experience that the town is losing up to 60 people a week. It is going to go from 4,500 people to 500 or 600 people within the next 12 months. I had meetings with the small-business owners. One of the ladies there who owns a tackle shop—fishing is quite big there—has a long-term lease which she cannot get out of. She currently pays $11,000 a month. There is no financing package being made available to her and her current income is $300 a day.

Mr Shorten and I went to Nhulunbuy High School, and I was personally affected just listening to the stories of the young Territory kids who started preschool there and are now doing their year 11 and 12 studies. A young boy stood up and said there are no businesses that are now offering apprenticeships. It is so sad, because there is so much talk about the development of northern Australia and this whole town is left with nothing—no one has come there; and Rio Tinto, the CLP government and the federal government have refused to go and speak and engage with these people.
One of the most disturbing moments of that day was meeting the Yolgnu people and the Yirrkala community, where I met the leaders from the Gumatj clan group. The refinery has been there for 40 years, so almost a whole generation of Aboriginal people have lived and grown up with the refinery. Aboriginal people are saying, ‘We are sad. We are feeling pain. Our spirit is broken because our balanda friends are leaving this community.’ This place has had a huge impact on this community, and they have felt abandoned by so many people.

I will now outline the events that have led to this situation. Firstly, in the lead-up to the closure of the refinery the actions of the CLP government were disgraceful. They were totally incompetent in the way they dealt with and spoke to the people in the community. They provided nothing but false hopes and gave very little direction to the community of where to go. Pacific Aluminium and their parent company, Rio Tinto, requested that the NT government sell them excess gas to allow them to operate more efficiently. After a protracted process the CLP government announced that it was a done deal: 300 petajoules of gas would be provided. The then chief minister, Mr Terry Mills, travelled to Gove and announced that the NT government had agreed to the supply of gas. However, briefly afterwards, Terry Mills was rolled while overseas by the now chief minister, Adam Giles, who then did a backflip and announced he was breaking the deal the government had done with Rio Tinto. He was going to provide only half that amount: 175 petajoules. It was not long after this broken deal that Rio Tinto announced that they were going to close the refinery.

The refinery is now closing. The coalition's promise is broken, and Tony Abbott and his government have walked away from Gove. Gove needs a package to save the town. The announcement of the closure of the refinery came at around the same time as the announcement from Holden that it was going to stop manufacturing cars in Australia. It took just days for Tony Abbott to announce a $100 million assistance package for Holden workers. $100 million is completely inadequate for that industry, but it is $100 million more than the workers of Gove have been offered. They have heard nothing from the Commonwealth government. There has been no assistance package, no structural adjustment package and no attempt to support or promote replacement industries.

To elaborate on that, Gove is crying out for a replacement. They are saying, 'Bring people to Gove. We want something here. We have all the infrastructure and we do not want to lose it.' Knowing what is happening with Northern Australia, it would be an absolute disgrace to this country if we cannot move forward and support this town.

In closing, I would like to thank comrade Lynne Walker, the member for Nhulunbuy in the Northern Territory parliament. She has been working tirelessly and she is an incredible and well-loved and well-respected politician in the area. For Lynne it is not just about politics; it is about the future of her town. I might add that her three children were born in the town.

When opposition leader Mr Bill Shorten travelled to Gove on Friday, he saw for himself the high regard the people of Gove have for Lynne Walker. Regardless of what happens in Gove, the workers, families and businesses know that her entire focus will be on their welfare and their wellbeing.

I will be working closely with Lynne Walker and the member for Lingiari to try to ensure that the NT government and the Commonwealth government assist the Gove community. They made false promises to this community. The Prime Minister has not visited the Northern Territory since the election. I call on him to visit Gove very soon to meet with the workers,
the families, the businesses and the Yolngu people and put together a package to help this community out.

**Free Trade Agreements**

Senator WHISH-WILSON (Tasmania) (20:03): It is time for a national conversation about trade and free trade agreements and about the importance of re-focusing the debate in this country around what is fair trade, and the importance of incorporating fair trade in future free trade agreements. The events of the last few days and weeks, with the Toyota closure and the SPC Ardmona decision, have made it clear that this conversation is necessary and urgent.

Yesterday Toyota, and only a few weeks ago, Ford, claimed that free trade agreements, both present and future, played a role in their demise and the shutdown of their businesses in this country. Also, we often see farmers complaining about the impacts free trade deals have had, particularly in relation to the import of cheap agricultural products. But you will not hear these types of conversations or comments from the government.

The current spruiking of free trade agreements reminds me of a scene in *The West Wing* where Josh Lyman was trying to get the president to sell the idea of trade agreements to the public using simple language. Lyman wanted the president to say, 'Free trade creates jobs. It creates better, higher-paying jobs.' He did not want the president to talk of costs and benefits or winners and losers. He wanted to dumb down the discussion of trade to a simple tag line.

Somehow, somewhere in this government there is a Lyman-like adviser who is telling the government to adopt equally glib and superficial language about current free trade deals under negotiation. They are not exactly word for word Josh Lyman lines, but Minister Robb's 'Embrace pact for prosperity' fawning opinion piece on trade is pretty close.

The Productivity Commission and Treasury have both said that the benefits of the trade deals on the table—like the Korean free trade agreement, or the Trans-Pacific Partnership Agreement—have been oversold, and the costs have been largely unexamined. I think we have had evidence of that in recent days. This is exactly what Andrew Robb is doing: overselling the positives and leaving the costs unexamined. They are treating the community like fools.

Governments always concentrate on the positives of free trade agreements. In the case of the Korean free trade agreement, the minister has cited independent economic modelling to back his case. The minister and DFAT have asserted that independent modelling showed both agricultural and manufacturing exports to Korea would be higher as a result of the Korean-Australian free trade agreement. The figure of $650 million a year was cited as the annual boost to the Australian economy as a result of this agreement. I note the minister has also asserted that the Korean-Australian free trade agreement is good for Australian manufacturers. The events and statements of yesterday with Toyota, and with Holden only a few weeks ago, strongly discount this statement.

While the minister is happy to assert the figures that allegedly arise from the modelling, the modelling is not available for public release or scrutiny. The DFAT fact sheet on their website also quotes figures based on economic modelling that is not available to the public. According to the website the modelling was prepared by the Centre for International Economics, a consulting firm based in Canberra. This is all the information on the modelling that is provided to the parliament and to the public.
The minister can go around spruiking modelling as if it is the best thing that has ever happened to the country without there being any right of reply. How this could possibly lead to appropriate discussion about what is in the national interest is anyone’s guess. Unfortunately, I think the government is doing this exactly because they do not want a discussion on the merits and costs of the agreement; they want to tick it off and move on. I acknowledge that there will be benefits to free trade agreements, although I question whether the term ‘free trade’ is an oxymoron, because there is no such thing.

The Trans-Pacific Partnership is a 29-chapter agreement that covers topics beyond straight export and import concepts—like tariffs to areas of broad public interest such as environmental law, labour law and copyright and patent issues, to name just a few—as well as an issue that I am very interested in, flexibility and sovereignty in relation to food labelling and regional branding.

I assume the Korea-Australia modelling had some negative things to say, because the DFAT fact sheet identifies what they call sensitive sectors which may face increased competition from Korean imports. Sectors identified are motor vehicles, automotive parts, steel products and textiles, clothing and footwear. But if the modelling is not released publicly how can Australians possibly assess what these arrangements actually mean for them and the industries they work in? How can the modelling be assessed to ensure it was actually measuring the right things?

I have an article from an automotive magazine, which dates back to December last year. It is two pages long and entitled ‘South Korea free trade deal could crush car industry: FTA will mean cheaper cars, but will wipe out Australian car industry.’ It says: The proposed Free Trade Agreement with South Korea will lead to cheaper cars—but it will almost certainly crush what’s left of the Australian auto manufacturing industry, experts have warned. The article goes on to list comments from people in the industry, saying that current free trade deals under negotiation are significantly jeopardising an industry that was clearly already struggling.

What type of risk-weighted analysis was provided for the shutdown of these industries that are so critical to our country, and particularly to the states of Victoria and South Australia? How was this assessed? Clearly, it was seen as a very high probability by people in the industry. I remember the discussions we had around the Thailand free trade agreement, after which we saw a massive increase in car imports from Thailand. The article talks about that, saying that more than 170,000 Thai-made vehicles were imported into Australia last year alone. Their numbers have risen by 50 per cent over three years. Ford sold just 100 SUVs to Thailand in return.

This issue has been in the public arena: who are we trading down the river to get increased agricultural exports for Australia? While I understand the importance of agriculture and want to help our farmers and primary producers export more commodities, we have to acknowledge the risks. We need an adult conversation about trade. Trade is important—it is critical to our economy—but let us forget this notion of free trade and focus on fair trade.

The Greens negotiated with Labor in 2012 that any future trade deals would need to have the potential benefits and costs assessed up front. It is very important to keep these factors in mind when you are embarking on the long road that leads to trade negotiations. As we have
seen with the Productivity Commission's report, the benefits of free trade agreements have been oversold and have not been delivered, particularly in relation to the US free trade agreement. The Greens call on the government to release its modelling so these questions and others can be answered.

Successive governments have talked down to the Australian public by only ever spruiking the benefits of free trade agreements. It is time to have an honest discussion about winners and losers that come out of trade agreements, who gets to pick them and who they are. Are the winners the special interests that are in the government's ear; those special interests that have the lobbying power to get their way? And how do such agreements overpower areas of public interest such as preventing whaling in our southern oceans?

Minister Robb came clean last week. Although the coalition did have a very clear policy to try to prevent whaling, at the end of the day sending a customs vessel could have jeopardised a trade deal with Japan. In that instance, the government was not prepared to act on its promise about something that is clearly of public interest in Australia—more than nine out of 10 Australians do not want to see the illegal slaughter of whales under our law, because they love these creatures—because of the potential ramifications with Japan. I could not put in dollar terms what the death of whales means to me, but I do know that it is very important to the public and that that type of trade-off should be actively discussed, not just here in parliament but also in the media.

Such a discussion involves releasing the text of this trade agreement and any economic modelling. The Senate has already compelled the government to release the text, but it has not complied. It refuses to do so. It remains to be seen whether that can be delivered, both for this trade deal and for the Trans-Pacific Partnership agreement.

Rushing in to sign these agreements is not in our national interest, particularly when the agreements are so unclear. In fact, they are totally lacking in any detail. They have been done in secret, with no transparency, by good negotiators at DFAT, I suspect on behalf of special interests in this country who have the ability to get in the government's ear to get what they want and also by special interests in the US: big, powerful multinational corporations. We should not put the power of corporations and profits ahead of the people. *(Time expired)*

**Doherty Trade Services**

**Senator Xenophon (South Australia)** (20:13): It is my very great honour to speak in support of a proud South Australian company tonight. Doherty Trade Services is a second-generation family owned company that has been operating in South Australia for over 23 years, offering trade and maintenance services for industry.

Recently, Doherty's won a major maintenance contract with the South Australian government to provide maintenance to between 18,000 and 20,000 properties, including Housing SA properties, around metropolitan Adelaide for the next eight years. The contract will enable Doherty's to employ between 120 and 150 apprentices in trades such as plumbing, electrical, carpentry, tiling and painting. Doherty's has taken the opportunity provided by this contract to put something back into the community.

They are planning to offer apprenticeships and traineeships aimed at people who might not otherwise have the opportunity, so that employment pathways can be opened for people with a disability, people on low income and people who have become disengaged. Fifty per cent of
the program's outcomes will be targeted to regional areas. Doherty's will also be focusing on creating employment for Aboriginal and Torres Strait Islander people, so that individuals can gain knowledge and experience that they can then take back to their communities. That is unambiguously a very good thing.

Doherty's has also gained support from the South Australian Department of Further Education, Employment, Science and Technology and the Aboriginal Apprenticeship Program in their application to become an Indigenous employment provider—or IEP—for the Skills for Life project. No other program offers the complete pathway from training through to employment that has been proposed by Doherty's. They need to be congratulated for that.

Existing Doherty's workers—such as Mr Ricky Morris, who is the current project manager for Indigenous employment—act as mentors and supervisors for the trainees and apprentices. Almost 150 tradespeople directly employed by Doherty's are also willing to share their knowledge and experience with the next generation of tradespeople. Mr Dean Wanganene is an Indigenous employee of Doherty's who assists Ricky Morris in coordinating the IEP. I was lucky enough to meet them last week. Mr Craig Rigney—CEO of Kornar Winmil Yunti, a not-for-profit Aboriginal men's health service—is also supporting Doherty's in their initiative.

Mr Rigney has said the importance of what Doherty's is trying to achieve cannot be underestimated. He said:

This program gives the Aboriginal participants a sense of pride, and control over their own futures.

Isn't that simply wonderful? He goes on to say:

It's creating the leaders of the future. These kids might be the first ones in their families to finish high school or to go into a trade, so they become role models for their communities. Doherty's has really gone above and beyond in terms of their social conscience. Having a private enterprise work with us is fundamental in supporting and growing Aboriginal business, which in turn benefits the Aboriginal community through the services we can provide.

Doherty's are also establishing partnerships with government agencies, including DFEEST and Skills Connect; group training organisations, including PEER VEET, Alliance People Solutions and Complete Personnel; and technical college ATEC, to develop a proposed training scheme to undertake an enhanced training program over the contract period, allowing for additional apprentices to be trained in a shorter period of time. I think that is innovative and it will mean more people can be trained in a shorter period of time.

Doherty's will also be providing a scholarship based program to individuals who would not be normally able to achieve an apprenticeship. The scholarship will be a monetary gift distributed over a 24-month period that will line up with the first and second years of their apprenticeship. It will be granted on the successful completion of training modules within their training plan.

But Doherty's is not resting on their laurels. They are still looking for ways to partner with existing organisations and agencies to provide more employment opportunities, particularly for Indigenous Australians. One project that is still in the very early stages involves Doherty's looking at ways to send a group of apprentices overseas every two years to places such as Papua New Guinea. Apprentices would work on a project in a remote community for up to six weeks, gaining both work and life experience.
Since Doherty's commenced their contract with the SA government on 1 October last year, it has begun the first pre-employment program with 10 Indigenous students who will spend several months building life skills. The students will also complete a certificate II in construction and work experience with a Doherty's tradesperson in their field. Doherty's has also commenced working with the Department of Further Education, Employment, Science and Technology to run a pre-employment program for 20 disengaged, disadvantaged, out-of-trade apprentices or school leavers with a recognised GTO—government training organisation—and job service providers this month, with two apprenticeships on offer.

They have also employed the following Indigenous employees under these categories: four qualified carpenters, four first-year carpentry apprentices, two first-year plumbing apprentices, one first-year electrical apprentice, one third-year electrical apprentice, one first-year roof-plumbing apprentice and one first-year painting apprentice. They have also employed two qualified carpenters with hearing impairments, in addition to hosting seven Indigenous students, two technical college students, one disabled student and two disadvantaged students for work experience.

I would like to take this opportunity to congratulate managing director Terry Doherty, business manager Alix Doherty and her husband, operations manager Patrick Gluyas, who have taken a wonderful opportunity for their business and turned it into a wonderful opportunity for others. Karyn Perry, the recruitment and training co-ordinator for Doherty's, also deserves special mention for drawing all of the elements of the program together and making it happen.

When I met with Doherty Trade Services just last week, I was impressed with their commitment, their passion and their competence in implementing this innovative program. As Karyn Perry said, 'It's great to give opportunities to those who want the chance, who wouldn't otherwise get the opportunity.' We all know that unemployment is a serious issue with long-term, deep impacts on our society. It is one thing to know that it is a problem but it is another thing to act on it—and that is what Doherty's is doing.

Doherty's has also set an excellent example of value adding where government spending is concerned. Governments should take note of this example and focus spending where there will be the greatest return to the community. I think that what Doherty Trade Services is doing should set a benchmark for other companies and, in fact, we need to consider having requirements built into our government tendering processes at all levels of government. That is something that I will be raising with the Minister for Indigenous Affairs, Senator Nigel Scullion, who I know is passionate about Indigenous employment and building those opportunities and community capacity.

I am looking forward to supporting Terry, Alix, Patrick, Karyn, their team and all their employees as this program continues. I would just like to finish off with the words of Martin Luther King Jr, who said:

All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence.

Foreign Aid

Senator McEWEN (South Australia—Opposition Whip in the Senate) (20:21): Tonight I would like to speak about overseas development aid, but I would like to start off by
congratulating two women on some excellent appointments that have been recently made. I would like to acknowledge that former Prime Minister Julia Gillard has been made the chair of the Global Partnership for Education. It is a fine institution, which focuses on getting girls—particularly in developing nations—into education. I could not think of a more fitting person to chair that organisation.

I would also like to congratulate former senator Natasha Stott Despoja, who has been appointed Australia's Ambassador for Women and Girls. Former senator Stott Despoja's commitment to women, to equality and to women's advancement, particularly in developing nations, is without question. I am very pleased that the federal government maintained that position but also that they appointed former Senator Stott Despoja to the position.

Twenty-two out of 24 of Australia's closest neighbours are developing nations. I have had a chance to visit some of those nations and in the ones I have visited I have always taken time to have a look at the outcome of Australia's overseas development aid. I like to see it at work and I have witnessed, first hand, the benefits that it brings to developing nations in our region.

It was with great sadness that I read the 18 January 2014 media release of the Minister for Foreign Affairs, in which she outlined in detail the cuts that the Abbott government is making to Australia's overseas aid budget—and not minor cuts, I might add. This government has taken a very, very big knife to Australia's international assistance and has cut some $656 million from our aid program in this current financial year. In other words, in 2014 Australia will spend $107 million less on overseas aid than they did last year, and that leaves some of our closest neighbours, who happen to be amongst the world's poorest nations, struggling even more. Of the $656 million in cuts, $250 million will be ripped directly from our neighbours. That includes the $61 million cut in the Pacific region; $116 million in East Asia, including $59 million from Indonesia; and $71 million from South and West Asia, including Afghanistan, Pakistan and Bangladesh. Further afield, the government's actions will see $113 million taken from Africa and the Middle East and $5.3 million from Latin America and the Caribbean.

Despite the minister's assurances that Australia will renew its aid focus on our region, the minister has gone ahead and withdrawn the money from where it is needed most, right under our noses. The minister has cleverly structured her media release so that it looks as though the government are simply taking a more streamlined approach to our development aid. In fact, she says the funding will be refocused and tied to rigorous benchmarks, and she is clearly anticipating that ordinary Australians may think this is a positive development in the aid space, while in fact it is cover for simply cutting funds to nations that we can and should be supporting.

Fortunately, many Australians, particularly many young Australians, can see past the foreign minister's attempt to pull the wool over our eyes with regard to overseas development aid and Australia's commitment to it. We know that many programs not only will have funding cut but will cease completely in the very near future, leaving aid delivery organisations and recipients of overseas development aid in a very precarious position as to the future of the very programs that need to be rolled out to assist these people.

There is a lot of debate about the role of overseas development aid, and the current government tends to frame it in the context that it is a handout to countries, whereas we full-well know—and there is plenty of research to show it—that overseas development aid in the
way that it is delivered by Australia is in fact a leg-up, not a handout, and that, without the leg-up that Australia's overseas development aid provides to our near neighbours, those neighbours will never become economically stable and secure countries. Australia needs to have economically stable, secure, growing countries in our region for many reasons, not just for the ethical reason that we should do whatever we can to assist people who need our assistance but because it is better for us in Australia if our near neighbours are viable developing countries, countries that are moving out of the developing status into being able to sustain themselves.

The realities of the cuts of the Abbott government in the overseas development aid sphere are that the poorest people in our region are going to suffer. Australia has always contributed to aid and tried to help our neighbours and, as I said, that is what we should do because it benefits us as well as the people who are recipients of the aid. Unfortunately, though, the Abbott government has approached this as it has many other spheres of government—that is, to simply cut funding without paying attention to the impact of those cuts. We saw this uncaring and mean attitude towards people who need assistance just last week here in our own country, where the government refused to commit $25 million which would have assisted SPC Ardmona and the thousands of people whose jobs depend on that factory. The government refused that relatively small amount of money to assist industry. They are mean in their own country, so you can only expect that they are going to be mean in other people's countries as well. As examples of the amounts of money that are lost to some of our near neighbours, the Solomon Islands will suffer a $14.2 million cut in overseas development aid; Cambodia a $7.9 million cut; Timor-Leste—a country near and dear to many Australians—an $8 million cut and Fiji a $2.8 million cut.

I would like to contrast the attitude of the Abbott government to overseas development aid with what we were able to do when Labor was in government. Under the Labor government Australia's commitment to overseas development aid grew with every aid budget. Some of us would have liked it to have grown more, but it did grow with every budget. In 2006-07 the Australian government invested just $2.9 billion, but by 2013-14 that figure had grown to $5.7 billion. Labor was very proud of that record of increasing the amount of overseas development aid. It is in Labor's heart and soul to use what advantages we have in this country to support those poorer nations.

It is disturbing to see Australia's grand reputation as a nation that cares for its poorest neighbours being undone by a very mean and uncaring federal government. It is shameful, indeed, that such a wealthy nation is now turning its back on our developing neighbours when they need it most. The Labor Party is still committed to increasing the percentage of gross national income that goes to overseas development aid. Currently, the commitment is to 0.5 per cent but we were always aspirational for 0.7 per cent. Now, however, the percentage of Australia's gross national income that goes to overseas development aid is just over 0.3 per cent. That is a shameful statistic, and it is very difficult to look at our friends in the developing nations—some of them have been in this place today—and know that we are a wealthy nation with a great future but unable to find it in our hearts to put a bit more money on the table to ensure that our nearest neighbours can aspire to become a nation like us.
Kangaroo Island: Oil Exploration

Senator WRIGHT (South Australia) (20:31): This evening I rise to draw attention to a place which needs no introduction, and that is partly because it is so well known to Australians but also partly because I have spoken about it in the Senate on more than one occasion. That place is Kangaroo Island in South Australia. It is a place where my family and I have spent memorable holidays, traversing the island in search of adventure, admiring the natural wonders of a place that is beautiful and in parts wild and, of course, eating delicious local food to keep our strength up so that we could do even more adventuring the next day.

Thousands of tourists, both domestic and international, take the short ferry ride from the mainland of South Australia over to Kangaroo Island each year or take an even shorter flight. KI is one of the most recognised international tourist destinations in Australia. Scores of South Australians have spent their summer holidays on Kangaroo Island, have been married or honeymooned there. If South Australians can agree on one thing—it may not be which football team to barrack for—it would certainly be just how special Kangaroo Island is.

But now the waters of Kangaroo Island are being eyed off by a Canadian oil company, Bight Petroleum. Bight Petroleum has two permits in Commonwealth waters off the coast of KI, and has proposed to undertake seismic testing for oil and gas in these zones. The decision about whether or not to approve Bight Petroleum's proposal is now in the hands of the Minister for the Environment, Greg Hunt.

There has been a strong and concerted community campaign to have the proposal rejected on the basis that it poses all risk and no gain to Kangaroo Island. Most people would agree that there are some places which are simply too precious to lose, and Kangaroo Island is one of those places. In fact, a Lonergan poll conducted last year revealed that 82 per cent of South Australians—across political parties—who registered an opinion on this issue believed that Kangaroo Island should be protected from oil and gas drilling.

In the week before Christmas last year, I made another trip to the island to stand with the community as they rallied against oil and gas exploration off the coast of Kangaroo Island. Despite the timing—just a few days before Christmas—about 200 passionate people showed up. They showed up in the hope that someone would hear their voices, really listen to them, hear their concerns and stop this proposal from going ahead. They want to protect their community, their economy and their environment. And so I stood on the wharf side by side with community members—mums and dads, young and old people. These are not people who are in the habit of protesting, but I could see that they felt that this was what they had to do because they want to protect their homes, their future and the future of their children and their community.

The people in this community have been fighting a long battle, and they have not been afforded the respect they deserve throughout this process. When we talk about consultation, we think about two parties engaging in respectful, two-way dialogue of listening and having their concerns recognised. Unfortunately, the concerns about this proposal, voiced by those in the Kangaroo Island community over a fair period of time, have largely fallen on deaf ears. That is why the Kangaroo Island community rallied in a strong but peaceful protest.

The Kangaroo Island Council and Mayor Jayne Bates have been tireless advocates for their community, demanding that any bar for oil and gas exploration be set so high that there is no
risk for Kangaroo Island. Indeed, because of the risks inherent in the proposal, that has to be extraordinarily high. Bight Petroleum have met with the council only once, very early in a process that has dragged out over two years. Despite the council's clear concerns, there has been no further face-to-face engagement. In the most recent public comment period provided for under the Environment Protection (Biodiversity Conservation) Act, Bight Petroleum has shown disdain for the concerns of the Kangaroo Island community. In a phase of the process designed to facilitate consultation with those affected by and concerned about a particular process, we have seen a surprising lack of respect for the public comments.

With over 150 submissions, and most of them against the proposal, Bight Petroleum's responses were often dismissive or downright offensive. They have used phrases like 'while not all of the comments from the public are informed or constructive', and a sarcastic, patronising tone is pervasive. Frequently Bight Petroleum has written 'and that is why this survey is acceptable'—a phrase filled with much certainty but very little rigour to substantiate it in their response. Bight Petroleum has sought to characterise those who have disagreed with them or asked too many questions about the proposal as troublemakers. They have accused activists of running a scare campaign, suggesting they need to apologise to the community for their actions—activists like the Kangaroo Island Council and the mayor, who are fighting for their community. The community's submissions and the Bight response are publicly available. Have a look at them.

On reading them it becomes very clear that people are deeply concerned about the economic, social and environmental threats associated with oil and gas exploration in this unique marine environment. Ninety-six of the more than 150 submissions made to Bight Petroleum mentioned the potential impacts the survey would have on eco-tourism, which is an integral part of the Kangaroo Island economy. Indeed, KI's image as clean and green is central to its attraction to many tourists from Australia and overseas. Many locals rely on the tourism and fishing industries for their livelihood and have the right to ask questions about how this proposal will impact on them.

In response to such concerns, Bight Petroleum simply wrote, 'The location of the survey is too far from land to have an impact on eco-tourism, et cetera.' Bight Petroleum makes no acknowledgement that the proposed location for the survey overlaps a critical biodiversity hotspot or that seismic testing poses a threat to marine life, including endangered and threatened whale species, in the area. Instead they blithely—and offensively—assert:

… the company and most reasonable persons, know that no harm will be caused by the Survey.

On the contrary: the threat posed by seismic testing—huge air guns shooting extremely loud blasts of compressed air through the ocean and four miles under the seafloor—is recognised by almost every single major international conservation body. Various organisations—the UN General Assembly; the IUCN, the International Union for the Conservation of Nature; the IMO, the International Maritime Organisation; and the IWC, the International Whaling Commission—have expressed concern about the impact of noise pollution on marine life, particularly dolphins and whales, who rely on sound as their primary sense. Now the Australian Commonwealth Fisheries Association has also called for tougher controls on seismic testing.

Bight's suggestion that anyone opposed to the proposed survey is not a reasonable person is just plain offensive and laughable. This is the impoverished standard of consultation and
communication we have seen from the proponent of this misconceived venture all the way along. The question being asked by the community on the subject of their island—their home—is: what is the point of this public-comment period if well-founded social, economic and environmental concerns are simply going to be brushed aside as irrelevant? When does the community really get the chance to have their voices heard if not during the public comment period?

The Kangaroo Island community has written submissions, requested meetings, signed petitions and invited their elected members to attend the recent rally. A social media campaign was developed to show the minister just how many people support Kangaroo Island, with people from all over the world taking photos of themselves standing at Kangaroo Island. I have some photos here, which I will seek to table, of people at Stonehenge, people in Tonga and 90-year-old Merle, who was born and bred on Kangaroo Island and is absolutely sure that she wants to protect her island community from being despoiled.

Now this decision on Kangaroo Island is with the environment minister, Greg Hunt. I am here simply to amplify the voices of all those people from South Australia, from across Australia and internationally who have spoken out about their concerns with this proposal. I am here to alert the environment minister to the lack of consultation which has resulted in a flawed process without genuine community consultation. I can only hope that the environment minister will heed the message. I seek leave to table these photographs.

Leave granted.

Department of Health: Health Star Rating Website

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (20:41): I rise to add to an answer provided by me to the Senate earlier today during question time. The Leader of the Opposition in the Senate, Senator Wong, asked me about my chief of staff, his spouse and the Australian Public Affairs, APA, company. For the sake of completeness I provide the following additional information to the Senate.

Australian Public Affairs, APA, is a media and public affairs company. It is run by Ms Tracey Cain, who, as some senators will recall, is a former press gallery journalist. Ms Cain is the spouse of my chief of staff, Mr Alastair Furnival. Prior to working for me, Mr Furnival was APA's chairman, and, because of that previous position, he has a shareholding in the company. Prior to his appointment to my staff, arrangements were put in place so that his previous business activities could not conflict with his obligations under the statement of standards for ministerial staff—or, indeed, with my obligations as a minister.

In addition to complying with proper internal standards, his spouse gave undertakings that both she and the company would not (a) make representations to either myself or Minister Dutton; (b) make representations to the department of health; or (c) make representations on behalf of any clients to any other minister of the Commonwealth in relation to the health portfolio. On the advice available to me, these undertakings have been honoured in full. Indeed, neither my chief of staff nor my office has met with Mondalez—formerly Kraft—the owners of Cadbury, with whom he worked as a chief economist.
In short: both Mr Furnival and Ms Cain have taken proper and appropriate steps to prevent conflicts or potential conflicts between the private business and his duties as my chief of staff by withdrawing from any work for clients in the health portfolio, as I have outlined above.

At the time of answering Senator Wong’s question I did not have every detail of this information at hand, but, having made further checks after question time, I provide this information to the Senate.

Department of Health: Health Star Rating Website

Senator WONG (South Australia—Leader of the Opposition in the Senate) (20:43): That is a very interesting contribution by the assistant minister, who is leaving the chamber. Coming in and correcting the record from question time in the adjournment debate, under cover of darkness and after the press gallery has left, does not speak of an open, accountable and transparent government. There are some very serious questions arising out of that little correction which do need to be explored. I will briefly address some of them now.

I may have misheard some of what was said very quickly then, but the minister in question time suggested:
There is no connection, whatsoever, between my chief of staff and the company Australian Public Affairs.

I may have misheard, but I think she just indicated to the Senate that her chief of staff still had a shareholding in the relevant company. They are very different things.

The minister chose not to respond to two very important aspects of my questions from earlier today. First, I asked her what role her chief of staff had played in the removal of the website just hours after it was launched. That was not answered at question time nor was it responded to in the contribution just made to the Senate. Second, I asked when the chief of staff had declared the relationship to the minister, her department and the Prime Minister’s office. I do not believe—but I will certainly be checking the Hansard—that that was answered in full and in detail in the contribution just given.

There are some very serious questions about the matters Senator Nash has responded to today. I say this, to be honest, with some regret because, on a personal level, I have a deal of regard for Senator Nash. But, as a minister, she does have certain obligations to this chamber and under the ministerial standards. To put it very simply, the partner of her chief of staff is or was the owner of a firm whose clients had a direct commercial interest in policy decisions the minister was making. As I understand the contribution just given, she has conceded that her chief of staff had a direct pecuniary interest in a firm which was representing those clients or which had a commercial interest in the policy decisions in her portfolio. There are some very serious questions to be answered by the minister—and, frankly, by the government—about how that arrangement can possibly comply with the ministerial standards and the standards applicable to ministerial staff.

Kangaroos

Senator RHIANNON (New South Wales) (20:46): In 2011, the four large kangaroos that can be commercially shot were nominated for listing in New South Wales as threatened species. That nomination, based on the government's own data, reveals a serious trend of decline in kangaroo numbers in just about every kangaroo management zone in New South Wales since kangaroo surveys began some 30 years ago. The published science of kangaroo
reproductive biology and population ecology shows that the so-called population explosions described in the data—used to assert recovery from decline—are biologically impossible for this slow-breeding marsupial. Current analysis of the survey methodology and raw data is now suggesting systematic and massive inflation of kangaroo numbers, from which corresponding excessively inflated commercial shooting quotas are extracted—so that larger numbers may be shot from shrinking populations.

Two years after its submission, the New South Wales Scientific Committee has still not made a decision on the nomination. Meanwhile, the commercial shooting industry continues to empty local landscapes of kangaroos in what has been described as the world's largest commercial slaughter of land based wildlife. Often landowners mop up what the commercial shooters fail to kill. But it seems that the idea that macropods—various kangaroo species—might be in trouble is one that simply does not register.

We need to ask: why does this issue receive so little attention? It seems that notions of kangaroo abundance and unquestioning belief in the myth of population explosions are so firmly entrenched in the Australian psyche that we do not think to question the science behind shooting kangaroos. From 2001 to 2011, collated national population estimates across commercial hunting zones in the four mainland states recorded a 40 per cent drop. We need to ask why this is not an issue of concern. Maybe it is because there were still an estimated 34 million in 2011. But this is down from 57 million in 2001, according to the department's own collated figures. These sorts of numbers still seem to correspond with early settler accounts of 'immense flocks' and 'swarms' of kangaroos across our landscapes. That is certainly the impression many people have.

It all suggests abundance—twin myths of plague and pest promoted by a highly organised and strategic-thinking industry via an unquestioning political framework and repeated by uncritical media and unknowing Australians as common fact. Our unquestioning acceptance of those myths has, from 1975 to 2011, permitted nearly 90 million kangaroos and wallabies to be legally shot for the commercial market alone, with an unrecorded estimated additional 24.3 million joeys bashed over the head—and that is actually allowed under the code of practice—or left to die. The notion of a superabundance of kangaroos, and a complacency about the science behind the shooting of kangaroos, is pivotal to the continuing industrial scale slaughter of this internationally iconic animal.

What does the science say and what does the nomination of four large kangaroos to the New South Wales Scientific Committee for listing as threatened species tell us? What should be engaging the serious attention of our scientists and regulators? In discussing the scientific issues, I first add the proviso that we are talking about four different species of macropod here. This adjournment speech is not the place to cite every one of the 500 published scientific references informing the nomination to the New South Wales Scientific Committee. That information can be found by reading the nomination itself. But the science does raise serious questions about state kangaroo surveys—on which the commercial industry depends for government licence to operate. Considering the myths the commercial kangaroo industry is based on, some of this science needs to be put on the record.

Contrary to popular myth, kangaroos are a slow-breeding marsupial with low reproductive rates. It is biologically impossible for a kangaroo to increase its own maximum capacity to reproduce. A kangaroo doe can carry a developing in-pouch joey while nursing another at-
foot dependent joey. However, it takes about 18 months for a joey to be fully weaned. Thus a kangaroo can raise only one joey to independence per year. That does not change.

Embryonic diapause, which is maintaining the embryo in a state of dormancy—something kangaroos have become famous for—is rare in eastern grey kangaroos, unknown in western grey kangaroos and confers no major reproductive advantage for the reds and the wallaroos in which it occurs. That fact needs to be reiterated: kangaroos only raise one joey a year to independence. That is how their biology works. Certainly it is amazing that an embryo can be maintained in a state of dormancy, but often the results of that in terms of kangaroo numbers have been exaggerated.

Generally kangaroos in the wild will not start breeding and successfully raising their young to independence until about three years, with their first joey becoming independent at about four years. By 12 years—if the doe lives that long—few females are still producing offspring. A kangaroo doe, then, is biologically capable of producing in most cases no more than eight independent joeys in her lifetime.

Kangaroo juvenile mortality in the first year of life is similar to many other mammals in that it can be high—around 73 per cent. A scientific paper on population ecology of western grey kangaroos found 73 per cent mortality of that species. The ACT Kangaroo Advisory Committee has found mortality in juvenile eastern greys was 'high' in the ACT—although no quantitative work was undertaken in that case. A further study has found that about 50 per cent of emergent young still dependent on their mothers are taken by foxes. With 'close to parity' sex ratios in populations free from historical male-bias shooting, and using averages as discussed, this needs to be considered.

A kangaroo will only effectively replace herself once in her lifetime. With her first successfully weaned joey at around four years, and an end to her breeding at around 12 years, she can produce just eight young in her lifetime. However, with 73 per cent juvenile mortality in 'normal' conditions, just two of those joeys will survive to independence. In this hypothetical world of averages, and assuming the sex-ratio parity carries through to the two surviving joeys, the original female doe will only effectively replace herself once in her lifetime. I have gone into that level of detail because how the kill rate of kangaroos in New South Wales is determined needs to be brought back to those biological facts.

So, the female doe will only effectively replace herself once in her lifetime—but only if she lives her full natural breeding span without being shot, tangled in a fence or hit by a car; or succumbs to disease or injury or starvation and heat stress during drought. And only if she successfully breeds every year and her joeys do not suffer higher than normal mortality. I have set this out in detail as we need to recognise that it is time to reassess how decisions are made on commercial killings of Australian macropods.

All things considered, and without going into the science of fecundity and birth rates, age structure and other factors such as adult mortality and historical shooting biases, an average kangaroo population is biologically capable of growing around 10 per cent a year. This is in good years when these animals are relatively free of stress from lack of food and water. Studies have found that during drought up to 100 per cent juvenile mortality can occur, with up to 40 to 60 per cent adult mortality. Flooding rains also cause mass or epidemic mortality events in kangaroos, with a lack of funding ensuring the causes remain only hypothesised, including the possibility of toxoplasmosis—a zoonotic disease ever-present in wild kangaroo
populations and a recognised health risk to human consumers. As an example, in 1998 some 300,000 counted kangaroos died suddenly over two weeks in a 30,000 square kilometre area in south-western Queensland and north-western New South Wales.

So, kangaroo populations will increase in natural environments at a maximum rate in good years of around 10 per cent per annum, but this can crash by up to 40 to 60 per cent per annum during drought or mass mortality events during big wets. Yet quotas for shooting kangaroos sit at 15 to 20 per cent of the preceding year's survey population estimates. This generally is not changed despite population crashes due to drought, flood or fire during the year the quotas apply. Consequently quotas can represent up to 40 per cent of an estimated population during drought.

With commercial shooting, rates far exceeding population growth rates over decades, and with these rates usually maintained during drought when populations are known to crash by up to 60 per cent, there should be little surprise that the nomination to the New South Wales Scientific Committee expresses alarm at what the survey data is showing. The New South Wales government's own data reveals that kangaroo numbers have fallen by up to 90 per cent in some individual New South Wales harvest zones in the last 10 years alone, following a 30-odd-year decline in all harvest zones across the life of these records.

There is no need to interpret the data. This is the status of various kangaroos in New South Wales today, and this is from the government's own data. As little as two per cent of some kangaroo species remain in some areas, and preliminary examination of New South Wales survey transect data recently released under FOI is shows some 85 per cent of five-kilometre survey transect segments returned zero counts—that is, no macropod species. If this of itself is not alarming enough, examination of the survey methodology should raise concerns about basic scientific method and validity of the data. Two reports to the New South Wales Department of Environment and Climate Change amplify these concerns. One report—'Kangaroo monitoring: design & analysis of the Northern Tablelands region helicopter survey'—appears to have been removed from the internet. The other report is 'Kangaroo monitoring: Hunter and Central Tablelands commercial harvest zones design and analysis of helicopter survey.' Both contain very important information. This work shows that in one case 26 actual, counted kangaroos were multiplied by 1,456 to become a final population of over 37,000 animals in the Armidale region. That occurred in 2007. In the central tablelands, 1,362 actual, counted eastern greys were extrapolated into a population of 535,600. From these inflated figures, the commercial shooting industry is then allowed to shoot a quota of 15 to 17 per cent of those populations. Again, that is why I have set out the detail of how this methodology operates—or, I should probably say, 'fails'—because that quota is based on those inflated figures.

This occurs because of a deeply flawed methodology. The number of transects has often doubled from one survey session to the next. Transect widths have been narrowed without a corresponding lowering of detection factors. Transects overfly national parks and other non-shooting areas, with those numbers applied to surrounding empty landscapes. For example, roughly half the transects in the central tablelands shooting zone overfly national parks and other non-shooting kangaroo habitat. Those non-shooting areas are removed from the equation to further inflate extrapolated densities of empty landscapes. Transects that continually show no kangaroos over regional landscapes have been dumped. This has
happened for parts of western New South Wales. Finally, correction or detection factors—a number by which actual, counted numbers are multiplied—are continually increased. This can result in the multiplying of actual counts by up to 300 to 500 per cent. So this flawed methodology is how we see biologically impossible jumps in the number of kangaroos—the so-called population explosions.

In the Bourke kangaroo management zone, the latest survey report asserts that from 2011 to 2012, a year bookended by drought in rural New South Wales, kangaroo populations apparently increased by 249 per cent. Yet this nonsense of a population growth rate of 249 per cent in one year has not been challenged. Growth rates of 50 per cent or more are regularly reported by the department's consultants, but that would require true male-female parity, every female successfully raising young to independence and no animals at all dying for 12 months. Growth rates of between 100 and 300 per cent continue to be asserted.

The systemic nature of this absurdity is illustrated in Queensland's 2013 quota submission to the federal government for export approval of Queensland's kangaroo management plan. For the shooting block of Emerald, it shows a fanciful 371 per cent increase in wallaroos per year for two years, from 2010 to 2012. Little wonder, then, that the industry boasts about its environmental credentials—because its 'take', it argues, can be as little as three or four per cent of the kangaroo numbers it is allowed to shoot. But we now know those numbers are regularly a gross overestimation.

The industry is working hard to access kangaroos in new areas by extending commercial shooting zones across Australian states, including the ACT and Victoria. That is where it wants to go. It is worth noting that Victoria actually stopped commercial shooting in 1982 because 85 per cent of the state had less than one kangaroo per square kilometre. It would be a tragedy if kangaroo shooting started again in that state. The industry is working hard to shift the market for kangaroo from cheap pet food to the more profitable meat for human consumption. This continues despite the unambiguous health risks of toxoplasmosis and other zoonotic diseases associated with undercooking this meat, something often recommended by the industry.

There is growing concern about how the Kangaroo Industry Association of Australia shapes government kangaroo policy, with trade, foreign affairs and environment ministers actively going overseas to promote this market. That is work that, clearly, a lot of public money goes into.

The 2011 New South Wales nomination of kangaroos to the New South Wales Scientific Committee raises serious questions about the operation and sustainability of the commercial kangaroo industry. The issues and realities of kangaroo slaughter sit at the edges of public awareness—I do acknowledge that—but it is not surprising, considering the myths that are perpetuated here. So ingrained are these myths of the abundance and pest status of our kangaroos that they are frequently repeated without examination of the facts. It is not considered that the trashing of water points and waterways, the 95 to 98 per cent clearing of grassy woodlands—prime kangaroo habitat—along with heavy predation by foxes and humans, habitat division by roads and fences, and introduced endemic disease have made life pretty hard for the kangaroo, this amazing creature.

These myths are carefully nurtured by the industry via a well-honed communications strategy that has embedded itself into an unquestioning political framework that lobbies
oversea politicians, the media, the market and the consumer. Scientific concerns are diminished by industry's advice to government as the work of activists, and evidence of the cruelty to and suffering of regularly mis-shot kangaroos is labelled as 'extreme'. Meanwhile, the industry commissions its own work to produce explicitly industry-biased materials which are then presented as independent research to overseas governments and an unsuspecting Australian public. The links between the KIAA and governments and their partnered funding of marketing and promotional research reveal a powerful web of interests, a lack of independent oversight or peer-reviewed science, and a closed shop of industry-funded 'scientific expertise'.

This decades-long, highly successful strategising and marketing by industry has diverted attention from the compelling concerns raised by the nomination to the New South Wales Scientific Committee that kangaroos are indeed at risk. It is time that federal and state governments actually engaged with this issue independently, scientifically and in good faith. Given the historical antipathy towards our iconic species, histories of other so-called superabundant species suggest this needs to happen urgently. Thank you.

**Manila Challenge**

Senator MOORE (Queensland) (21:06): Last month, I was in Manila attending the 7th Asia-Pacific Conference on Reproductive and Sexual Health and Rights. This was the seventh conference in a series that started in 2001 in Manila—so we went back to Manila—and that was then followed by five conferences: Thailand, Malaysia, India, China and Indonesia. The next conference, in two years time, will be in Myanmar.

Before I go on, I want to note my concerns as well as best wishes for the people of the Philippines. They have suffered terribly over the last few months, firstly from super Typhoon Haiyan at the end of last year and, since that time, the almost constant flooding in the area, with great loss of farmland, cities and also life. Considering the effort that was going on, it was wonderful that the Filipino NGO movement could come together to coordinate this special conference.

We had three days of discussion around the theme of examining our achievements, good practices and challenges towards a strategic position on sexual and reproductive health for all. It is 20 years since the International Conference on Population and Development in Cairo and a year before we gather together across all nations to look at the Millennium Development Goal achievements and at what is going happen in the post-MDG environment. The focus of this conference was to ensure that we could make absolutely certain that the important issues of sexual and reproductive health were part of whatever was going to be agreed at the UN for the post-MDG agenda.

Over 1,200 people from across Asia and the Pacific gathered at this conference. Unfortunately, as always, there were very few representatives from the Pacific—something that I think we need to address in our part of the world. I associate myself completely with many of the comments that were made by Senator McEwen earlier. One of the core aspects is for our nearest neighbours, the people in the Pacific, to be able to truly engage in the range of issues that are going on. They need to have support of donor countries like us and New Zealand. We had great support at this conference from the delegate from the Cook Islands. But surely, in the future, we could see delegates from many other areas, because the issues of sexual and reproductive health are of core importance to their nations.
The focus of the conference, as I said, was on looking at achievements, at good practices and at the challenges into the future. There were seminars from medical practitioners, community groups, the media and young people. In fact, the first day was focused exclusively on the young people of the region. They came together to identify their own issues, their own concerns, but most particularly to look at us, who go before them, to ensure that their sexual and reproductive health will be catered for, will be protected and will be important into the future. They also concentrated very much on the issues of gender, because, as we know and as we saw today in a motion put forward by Senator Hanson-Young, India is moving towards much more restrictive laws around homosexuality and gender. It is an issue that is facing many of the nations in the Asia-Pacific. We also had some guests from the African nations who came to share their own experiences, which were truly horrific. We need to ensure that those important issues of health and sexual and reproductive health for people who are homosexual or transgender are identified and are truly serviced within the health agencies.

The debate was strong. There was a great excitement amongst many of the participants. The way the process worked was that people could attend a large number of seminars and very significant presentations. On the last day, a paper was presented to everybody, which is now known as the Manila Challenge. Mr President, the Manila challenge is the document that I have here in my hand, and I am going to quote from it at this point. We began by identifying ourselves. A number of participants came onto the stage and read out the document, rather than having it presented and everyone just sitting and noting it. With true Filipino flair, it was a dramatic process. I was really thrilled to be part of that. I do not know whether I was dramatic enough, but at least I got to have my say. It states:

WE, the participants of the 7th APCRSHR, representing sexual and reproductive health and rights (SRHR) advocates from various sectors in Asia and the Pacific region have gathered in 2014 to review the 14 years of SRHR action since our first conference in Manila in 2001.

WE recognise the persistent gross inequities in sexual and reproductive health outcomes across the region and within countries and the failure to ensure SRHR for all. These are reflected in high maternal and neonatal morbidity and mortality, inequitable contraceptive services across the region and within countries, high rates of adolescent pregnancy and early/forced marriages, high levels of unsafe methods of abortion and stigmatisation of safe abortion, high rates of HIV and STIs and poor access to treatment, growing incidence of poorly treated reproductive cancers, and appallingly high rates of gender-based violence.

Unfortunately, all of those issues were mentioned in the first conference in 2001, and they are still there and still challenging us all. It continues:

WE stress that respect, fulfilment and protection of SRHR expressed in the first declaration in 2001 remain unrealised, and discrimination and stigma continue to oppress marginalised women, sexual minorities, young people, people with disabilities and other vulnerable groups.

…… …

WE reaffirm and advance the goals of the ICPD Programme of Action and the Millennium Development Goals.

After the introduction, it went to the real point of what we were talking about, and that was the challenge into the future—and there are a series of challenges. This was for everybody. The challenge document read:

WE Challenge GOVERNMENTS in the Asia Pacific to take action by:
1. Acknowledging the centrality of SRHR to sustainable development, ensuring that it becomes a national priority, providing universal access to comprehensive SRHR information, services and supplies for all, at all stages of the life cycle, across all locations, and especially in times of emergencies—This was particularly important to many of the nations in attendance at the conference because, as we all know, there have been a series of horrific emergencies across Pakistan, Afghanistan, Sri Lanka, Bangladesh and, most recently, the horrific flooding in the Philippines and, at the same time, the typhoon that hit Tonga. The document continues:

2. Implementing fully international human rights commitments …

3. Raising and allocating the necessary resources to fill the gaps and satisfy unmet needs in SRHR including family planning, estimated at USD7 billion in the region in the next five years if 2010 levels of funding are maintained;

4. Providing democratic structures, including safe spaces, and enabling environments to discuss and advocate for SRHR, focusing on inter-sectoral coordination;

5. Removing discriminatory policies and laws that systematically violate the human rights of vulnerable groups;

6. Making all elected and appointed officials more responsive and accountable for SRHR principles, policies and programmes;

7. Institutionalising and providing comprehensive sexuality education and youth-friendly services regardless of marital status, as well as respecting young people who are discovering their own identities and making SRHR choices;

8. Enhancing the accountability of the private sector in promoting SRHR within gender-responsive workplaces, and assuring occupational safety programmes and policies;

9. Strengthening public response to identify and prevent sexual and gender-based violence; and

10. Involving meaningfully all marginalised women, sexual minorities, young people, people with disabilities and other vulnerable groups in the development and implementation of SRHR legislation and programmes.

That took care of the governance. Then we said:

WE Challenge SCHOLARS AND RESEARCHERS in the Asia Pacific to provide additional evidence for policy-making and public education. This requires closer attention to the quality of censuses, surveys and other research methods, the assurance of ethical standards of data collection, the accessibility of publicly funded data sets and research results, and fostering of critical perspective in all analysis of SRHR research;

WE Challenge ACTIVISTS, AND COMMUNITY-BASED AND NON-GOVERNMENTAL ORGANISATIONS to strengthen their advocacy for SRHR and monitor the implementation of commitments and programmes on SRHR, both national and international, work with governments as both critics and partners, and be models of accountability.

WE Challenge YOUNG PEOPLE—and young people were a key component of this conference—to advocate and promote SRHR among their peers, to respect sexual preference and diversity, and to foster informed and safe sexual choices.

WE Challenge MEDIA PROFESSIONALS to promote public—and open—discourse on SRHR, and to provide accurate and reliable information.

That is something that could come across all areas of media. We said:
WE Challenge DEVELOPMENT PARTNERS—
When you, from Australia, are sitting there, you actually begin to shake when they say, 'We challenge developmental partners'—
to provide resources for SRHR in the region, support the sustainability of civil society organisations, contribute to the empowerment of SRHR advocates, ensure participation and leadership of civil society in global post-2015 discussions, and strengthen synergy and networking among SRHR advocates.

As this conference was focused quite clearly on the post-MDG agenda, we said:

WE Challenge the UNITED NATIONS SYSTEM to ensure that an “SRHR for All” agenda is captured in the post-2015 development framework.

We grab this time because what happened in the original development of the MDG process was that issues around sexual and reproductive health rights were not placed in the original debate. What happened, only after extensive discussion and advocacy from people around the world, was that the UN MDG process was enhanced to have issues around sexual and reproductive health placed in that process. We cannot afford to lose the time this time to be behind so that these processes are not core to the agenda—because there are going to be so many demands, there is going to be so much discussion. And over the next few months leading up to the large UN discussion around what will happen post-2015, we need to ensure that all nations understand the importance of this rights based approach and that the post-Cairo agenda will be central to whatever happens next. If we do not do that, all the work that we have done up until now will be lost. That will be detrimental to our communities and it would be particularly detrimental to the promises that we have made to young people that they will be listened to and their needs will be taken into account. We said:

With improving economies, continuing technological innovations, and dynamic young populations, we envision an Asia-Pacific region where:
- Countries have integrated SRHR in their development plans and investment programmes;
- Communities have access to SRHR information and services;
- All people exercise their reproductive and sexual health and rights; and
- Everyone lives a healthy life.

This is a world of conflict, crisis, and persistent inequality and it is common for governments to cite other priorities ahead of SRHR. Missions of rescue, rehabilitation, and programs of development must address SRHR as core elements, without which all other investments are diminished.

They cannot be dismissed or marginalised. For this reason, the people who gathered together in Manila said:

WE CHALLENGE all governments, civil society organisations, and religious institutions to demonstrate respect for SRHR by acknowledging SRHR needs of all people in all contexts now and into the future.

This document is now available. We know that people have taken it back to the nations across the Asia-Pacific. We know that people will be advocating within their own governments. I think it is very important that we advocate within our own government here, on a number of levels. The challenges that I have just identified out of this conference do not belong just to developing countries, they belong to all of us—because we all have a role to play. The discussions we had in Manila were about what had worked, what had had an impact in countries such as Bangladesh, Papua New Guinea and the Cook Islands. We know that
there need to be effective education programs. That is the No. 1 issue that came out consistently: people need to understand their own rights and they need to understand what they must do to keep themselves safe and healthy and ensure that their future generations will be safe and healthy.

That is not just a challenge for countries that are in the developing world; that is a challenge for our country as well. When you have the absolute honour to attend such a meeting it is truly confronting not only to share the experiences of inspirational people, who have overcome challenges that I cannot even begin to understand, but to actually know that some of the issues about which they are talking are real in our own nation. They must be confronted and we must develop our own responses.

When I was asked, as an Australian person there, what our program of education about sexual and reproductive health rights was across our whole country it was not an easy question to answer, because we have such variation. Each of the states have their own processes, there are different issues engaged, and we know that there is not a uniform curriculum around these issues and very much is left to chance. We sit there and think, 'Oh! That is awful,' when it happens in India and we hear about the variation of access that people have to education about their own bodies and their own futures. We sit back in a kind of complacency and think, 'That is terrible.'

But if you look at what is happening across Australia today you can see the variation in education programs in our own schools: the lack of knowledge that young women and young men have about their own bodies and their own choices. It is something about which we should be challenging ourselves almost on a daily basis to see whether the knowledge is as clear as it ought to be in our nation. That is a challenge for us in Australia. As Australians who are working in the UN system, particularly now with our high-profile engagement in the Security Council, and it is a challenge for us when the further meetings occur, both at the regional and the international levels.

When the nations of the world come together to look at what is going to happen post-2015, their commitment must echo what happened in 2000 when—I think, to some people's shock—all the countries who signed up to the MDGs made a commitment that they would seriously look at poverty in our world. That did occur. I said that one of the things that was talked about was good practices and achievements. Some nations expressed pride when they talked about the advances they had made on maternal mortality. They talked with pride about the way that adolescent marriage was being responded to in legislation. They expressed pride about increased midwifery practices across their nations. All of those things came directly from the international MDG agenda.

We have a challenge post-2015. We must be part of that challenge. We take our knowledge, we take our expertise, but I think we also should take a great deal of personal challenge and commitment to making sure that, post-2015, the issues of sexual and reproductive health will be central to the agenda, and people will know their own choices and their own bodies.

**Australian Business Roundtable for Disaster Resilience and Safer Communities**

**Senator BOYCE** (Queensland) (21:25): It is quite timely that Senator Moore mentioned the natural disasters that have affected the Philippines and a number of other countries in our
region, because the issue I particularly wanted to speak about tonight was a report produced late last year from the Australian Business Roundtable for Disaster Resilience and Safer Communities that did not receive as much coverage as it should have. This roundtable heads its information with the view that we must act now to make Australian communities safer and more resilient to natural disasters. This is a group that came together in late 2012. It included the CEO of Red Cross; the CEO of Investor Property group; the CEO of Optus; the CEO of Insurance Australia Group, IAG; the CEO of Munich Holdings of Australasia; and the CEO of Westpac.

It is possible to criticise the then government for the fact that this group felt that it needed to come together. Building resilience to natural disasters is something that has certainly troubled me for some time, because we go on doing the same thing. There was the horrific example during the floods in Queensland a little while ago, where it was discovered that federal government funding would replace little country bridges with like-for-like—we were not going to do anything to make it better into the future. But, as this group has pointed out, it is just a given that we will have more disasters—and more extreme disasters—in Australia over the next few decades at the very least. We need to plan for how we are going to cope with those.

You just have to look at the reaction to the recent cyclone, for example, in Queensland, where we had the property owners on Great Keppel Island saying—quite reasonably, for them—'The government will have to build a rock wall to protect our investment.' The government, of course, can be local government, state government or federal government—they are all involved in this. Part of the problem with the area is that all three are involved, and there is no really clear view of who is in charge of what. But we cannot go on simply building more and building greater and replacing what we are doing. We need to say enough is enough. We need to stop now. We need to think about what will happen. The roundtable, for example, points out that the total economic cost of natural disasters in Australia in 2012 alone was estimated to be more than $6 billion. They think that this will double by 2030—so we are talking $12 billion—and go to an average of $23 billion a year by 2050. That is without even looking at the impact of climate change. It is simply the cost involved in replacement insurance and the like.

I have here a chart that should certainly concern you and me, Mr President, showing that by 2050 Queensland, of all the states, will bear the greatest percentage of the economic cost of natural disasters. Right now the round table is suggesting that if we had a program that was focused, for example, simply on building more resilient new houses in high-cyclone-risk areas in South-East Queensland, we would reduce the cost of cyclone related damage by about two-thirds. The building cost ratio of this would be up to three times—that is, you would get a return of three times the money you invested, so to speak.

Other examples include raising the height of the Warragamba Dam by 23 metres. And of course we have the problems right now in Victoria, New South Wales and South Australia of bushfires and floods. We are simply not resilient enough.

It is estimated that we have invested $50 million each year in the past few years in mitigation measures to try to improve our community resilience to natural disasters. In contrast, the average annual spend on recovery measures has been $560 million over and above that. So, for every $10 we have spent on post-disaster recovery we have spent $1 prior
to the disasters on measures that were designed to improve the safety of our communities. The
round table says that we firmly believe this investment is unsustainable. I join them in saying
that I agree with this. Unfortunately, one of our problems as human beings is that we are very
good at reacting after the event but not good at acting before the event. Clearly, it is the job of
governments to do something to change that and to change the views of people about how we
deal with natural disasters and how we cope with them.

Using research that Deloitte did for them, the round table said that carefully considered
investment in resilience measures now would reduce the Australian government's expenditure
on natural disaster relief and recovery by more than 50 per cent by 2050. It seems to me that
this is a whole area we really do need to put some more time and effort into.

The report looks at situations in New South Wales, Victoria and South-East Queensland—
our home state, Mr President. It points out that the estimated cost of natural disasters in
South-East Queensland in 2013 was $322 million; the average annual cost, by 2050, will be
$1.2 billion; and the total cost from now to 2050 will be almost $26 billion. It is a cost that we
(a) will find unsustainable, and (b) do not need to sustain, if we work at what we are doing
now and if we spend sensibly now on ways to make Australia more resilient. For example,
South-East Queensland is one of Australia's most disaster-prone regions. If you look at the
graph, Queensland is the highest-spending state on disaster recovery. It is something that I
suppose we should be proud of, but I wish we did not have to do it! We face significant risks
from cyclones and floods. There are 40,000 houses in South-East Queensland that are
exposed to high or medium flood risk. The argument is put that if we were to simply make
those houses less prone to flood and cyclone risks the savings to the system would be
immense.

One other area I think is probably relevant right now, given the bushfire situation in
southern Australia, is that, based on the cost of vegetation management in the electricity
industry, a five-metre clearance around a house that was monitored and insisted on by a
government would cost about $200 a year, according to the system. They are saying that
doing this to 71,000 houses in Melbourne, in the high-risk area, would cost about $15.3
million a year and reduce bushfire risk by 30 per cent and therefore lead to an annual
reduction of $14.7 million in disaster costs in those areas. So it is an investment worth looking
at. Just remember that the cost includes the monitoring of the five-metre vegetation barrier.

There are plenty of other things we could be doing in terms of water and housing. The
issue is certainly not one that is going to go away. It is one that we need to put a lot more time
and effort into than we do. I note that the Bureau of Meteorology said that they are going to
begin to monitor heatwaves in the future. That is great. It is something we absolutely must do.
It raises the further issue that, while the costs have been measured in here, a lot of work has
also been done on the cost of the trauma and loss for people—not just for property but for
people as well.

The suggestion is that cost of the most recent floods in Queensland continued for more than
three years, according to figures produced by the Red Cross. That is, for every individual
affected, the cost of the damage to their lives—the loss they dealt with and the trauma their
families experienced—continued for three years. It seems just so obvious to me that we
should have a proper look at this and take into account recent inquiries from the Productivity
Commission which suggest that subsidising insurance or rebuilding like for like without
serious consideration of whether these are sustainable things to do are not the answer. They are quick fixes that will not get us anywhere in the future.

I saw on a program on SBS last night that Chicago is putting in kilometres and kilometres of 23-metre-wide tunnel under its current sewerage and infrastructure systems, so that the city will never flood. This will cost over $1 billion for every half a kilometre of tunnel. It might be something that the good burghers of Chicago can afford—and who knows how long it will work for—but it is not something that is sustainable throughout Australia and certainly it is not something that is sustainable in our part of Australia, Queensland.

We need to think of ways in which we can live with nature, we can plan not to end up with floods that cause such devastation. Some of that is going to be a case of us getting out of the way of the flood, as much as anything else, but there are going to be political and capital costs involved in that. It is going take not just bipartisan support from politicians but a concerted effort from industry of all sorts, including the social services industry, and governments of all varieties for us to come up with sensible solutions that mean that in the future we can have sustainable responses to natural disasters, which are not going to go away, which are going to cost more and which we must do something about.

The round table report says that an annual program of spending on pre-disaster resilience of $250 million a year for all of Australia has the potential to generate budget savings of $12.2 billion for all levels of government, including $9.8 billion coming to the federal government. It would reduce disaster costs by 50 per cent by 2050.

I was disappointed that this report did not receive more interest and more coverage when it was published late last year. I suppose it got caught up in one of two other things that were happening at the time. I encourage all members of the Senate to look at this report and think about how we are sensibly going to sustain our spending on natural disasters in Australia into the future and, more importantly, build the resilience of our infrastructure—our things—and the resilience of the people in those communities.

Senate adjourned at 21:42

DOCUMENTS

Tabling

The following government documents were tabled:

Australian Competition and Consumer Commission——Review of policies and procedures relating to the identification of listed points of interconnection to the NBN—Report, dated July 2013.


Defence Abuse Response Taskforce—Fourth interim report to the Attorney General and Minister for Defence, dated December 2013.


National Health Reform Act 2011—Report for 2012-13 on reports released by the National Health Performance Authority.


Royal Australian Mint—Report for 2012-13—Replacement page 64.


Surveillance Devices Act 2004—Commonwealth Ombudsman’s reports on inspections of surveillance device records for the period 1 January to 30 June 2013—Australian Commission for Law Enforcement Integrity, Australian Crime Commission and Australian Federal Police for the period 1 January to 30 June 2012—New South Wales Police Force for the period 1 July 2011 to 31 August 2012.


Treaties—

Bilateral—

Agreement between the Government of Australia and the Government of the Republic of Croatia relating to Air Services (Zagreb, 4 September 2013)—Text, together with national interest analysis and annexures.

Text, together with national interest analysis—

Agreement between the Government of Australia and the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam on the Exchange of Information with respect to Taxes (Bandar Seri Begawan, 6 August 2013).


Multilateral—Text, together with national interest analysis—

Arms Trade Treaty (New York, 2 April 2013).


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.]
Aged Care Act 1997—
Accountability Amendment (Quality Agency) Principle 2013 [F2013L02179].
Committee Amendment (Aged Care Financing Authority) Principle 2013 [F2013L02185].
Complaints Amendment (Quality Agency) Principle 2013 [F2013L02181].
Determination under paragraph 44-19(1)(b) (ACA Ch. 3 No. 5/2007) Revocation Determination 2013 [F2014L00084].
Home Care Subsidy Amendment (Transitional Workforce Supplement and Various Measures) Determination 2014 [F2014L00096].
Information Amendment (Quality Agency) Principle 2013 [F2013L02183].
Quality Agency Reporting Principles 2013 [F2013L02189].
Residential Care Subsidy Amendment (Leave from Care) Determination 2013 [F2013L02182].
Residential Care Subsidy Amendment (Quality Agency) Principle 2013 [F2013L02184].
Residential Care Subsidy Amendment (Transitional Workforce Supplement) Principle 2014 [F2014L00099].
Aged Care (Living Longer Living Better) Act 2013 and Aged Care Act 1997—
Aged Care (Maximum Accommodation Payment Amount) Determination 2014 [F2014L00109].
Fees and Payments Principles 2014 [F2014L00108].
Agricultural and Veterinary Chemicals Code Act 1994—
Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2014 (No. 1) [F2014L00065].
Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2014 (No. 2) [F2014L00133].
Anti-Money Laundering and Counter-Terrorism Financing Act 2006—
Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instrument 2014 (No. 1) [F2014L00086].
Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instrument 2014 (No. 2) [F2014L00110].
Australian Broadcasting Corporation Act 1983—
Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2014 [F2014L00122].

CHAMBER
Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013 [F2013L02091].
   Australian Bureau of Statistics Act 1975—
   Residential Property Price Indexes—Proposal No. 4 of 2014.
   Survey of Employee Earnings and Hours—Proposal No. 2 of 2014.


Australian National University Act 1991—
   Fees Statute 2006—Tuition Fees Order (No. 2) [F2013L02154].
   Programs and Awards Statute 2013—
   Assessment Rules (No. 4) 2013 [F2013L02138].

Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority (confidentiality) determinations—
   No. 23 of 2013 [F2013L02088].
   No. 24 of 2013 [F2013L02086].
   No. 27 of 2013 [F2013L02158].
   No. 1 of 2014 [F2014L00105].

Australian Research Council Act 2001—
   ARC Centres of Excellence for funding commencing in 2014—Determination No. 123.
   Industrial Transformation Research Hubs Proposals for funding commencing in 2013—
   Determination No. 122.
   Industrial Transformation Training Centres Proposals for funding commencing in 2014—
   Determination No. 121.


Broadcasting Services Act 1992—
   Broadcasting Services (Events) Notice (No. 1) 2010—
   Amendment No. 18 of 2013 [F2014L00029].
   Amendment No. 19 of 2013 [F2014L00030].


Variation to Licence Area Plan – Sydney Radio – No. 1 of 2013 [F2014L00057].


Civil Aviation Act 1988—

Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013—Select Legislative Instrument 2013 No. 274 [F2013L02129].

Civil Aviation Legislation Amendment (Maintenance and Other Matters) Regulation 2013—Select Legislative Instrument 2013 No. 275 [F2013L02128].

Civil Aviation Regulations 1988—

Direction under regulation 209 — conduct of parachute training operations—CASA 239/13 [F2013L02111].

Direction under subregulation 235(2) relating to landing weight and landing distance required—CASA 294/13 [F2014L00003].

Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—Civil Aviation Order 48.1 Amendment Instrument 2013 (No. 1) [F2013L02192].

Civil Aviation Safety Regulations 1998—

Exemption — carriage of cockpit voice recorders and flight data recorders—CASA EX06/14 [F2014L00112].

Exemption — carriage of flight data recorder – Pel-Air Aviation—CASA EX135/13 [F2013L02174].

Exemption — Jetstar Boeing 787-8 aircraft passive participation in land and hold short operations—CASA EX131/13 [F2013L02082].

Exemption — operations by hang-gliders in the Corryong Cup—CASA EX134/13 [F2013L02197].

Exemption — recency requirements for night flying – Regional Express Pty Ltd—CASA EX129/13 [F2014L00002].

Manual of Standards Part 172 Amendment Instrument 2013 (No. 1) [F2013L02178].

Repeal of Airworthiness Directives—CASA ADCX 003/14 [F2014L00124].

Revocations of Airworthiness Directives—

CASA ADCX 026/13 [F2014L00041].

CASA ADCX 027/13 [F2014L00042].

CASA ADCX 001/14 [F2014L00048].

CASA ADCX 002/14 [F2014L00082].

Commissioner of Taxation—Public Rulings—

Class Rulings—


Erratum—CR 2013/93.


Goods and Services Tax Advice—Notice of Withdrawal—GSTA TPP 010.
Goods and Services Tax Determination GSTD 2014/1.
Goods and Services Tax Rulings—
Erratum—GSTR 2002/2.
Product Rulings—
Taxation Determination—Addendum—TD 2006/57.
Competition and Consumer Act 2010—Competition and Consumer Amendment Regulation 2013 (No. 4)—Select Legislative Instrument 2013 No. 277 [F2013L02092].
Corporations Act 2001—
Accounting Standard AASB 1031 Materiality [F2014L00126].
ASIC Class Orders—
CO 13/1534 [F2013L02077].
CO 13/1621 [F2014L00039].
CO 13/1644 [F2014L00058].
CO 14/23 [F2014L00134].
ASIC Market Integrity Rules (ASX Market) Amendment 2014 (No. 1) [F2014L00128].
ASIC Market Integrity Rules (Chi-X Australia Market) Amendment 2014 (No. 1) [F2014L00129].
ASIC Market Integrity Rules (FEX Market) 2013 [F2014L00063].
Currency Act 1965—
Currency (Perth Mint) Determination 2013 (No. 5) [F2013L02142].
Currency (Royal Australian Mint) Determination 2014 (No. 1) [F2014L00132].
Customs Act 1901—
Customs Amendment (Infringement Notices) Regulation 2013—Select Legislative Instrument 2013 No. 271 [F2013L02125].
Customs (Definition of “compliance period”) Determination 2013 [F2013L02172].
Customs (Definition of “small-medium enterprise”) Determination 2013 [F2013L02171].
Specified Percentage of Total Factory Costs Determination No. 1 of 2013 [F2013L02198].
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Tabling

The following document was tabled pursuant to the order of the Senate of 12 December 2013:
Transport—WestConnex Motorway Project—Letter from the National Infrastructure Coordinator, Infrastructure Australia (Mr Deegan) to the Clerk of the Senate (Dr Laing) responding to the order of the Senate of 12 December 2013, dated 20 December 2013 and attachments.

Departmental and Agency Appointments and Vacancies

Tabling

The following documents were tabled pursuant to the order of the Senate of 24 June 2008, as amended:
Departmental and agency appointments and vacancies—Additional estimates—Letters of advice—
Finance portfolio.
Social Services portfolio.

Departmental and Agency Grants

Tabling

The following document was tabled pursuant to the order of the Senate of 24 June 2008:
Departmental and agency grants—Additional estimates—Letter of advice—Finance portfolio.