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SITTING DAYS—2014

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

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

Senate Office holders

President—Senator Hon. Stephen Parry

Deputy President and Chair of Committees—Senator Gavin Mark Marshall

Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi,
Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines,
Deborah Mary O'Neill, Nova Maree Peris AOM, Dean Anthony Smith,
Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams

Leader of the Government in the Senate—Senator Hon. Eric Abetz

Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC

Leader of the Opposition in the Senate—Senator the 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 Opposition in the Senate—Senator the Hon Penny Wong

Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy

Leader of the Australian Greens—Senator Christine Anne Milne

Leader of the Palmer United Party in the Senate—Senator Glenn Patrick Lazarus

Deputy Leader of the Palmer United Party in the Senate—Senator Jacqui Lambie

Chief Government Whip—Senator David Christopher Bushby

Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston

The Nationals Whip—Senator Barry James O'Sullivan

Chief Opposition Whip—Senator Anne McEwen

Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart

Australian Greens Whip—Senator Rachel Siewert

Palmer United Party Whip—Senator Zhenya Wang

Deputy Palmer United Party Whip—Senator Jacqui Lambie

Printed by authority of the Senate
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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 R. Carr), 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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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon Tony Abbott MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong>&lt;br&gt;Minister Assisting the Prime Minister for the Public Service&lt;br&gt;Minister Assisting the Prime Minister for Women&lt;br&gt;Parliamentary Secretary to the Prime Minister</td>
<td>Senator the Hon Nigel Scullion&lt;br&gt;Senator the Hon Eric Abetz&lt;br&gt;The Hon Josh Frydenberg MP&lt;br&gt;The Hon Alan Tudge MP</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong>&lt;br&gt;(Deputy Prime Minister)&lt;br&gt;Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon Warren Truss MP&lt;br&gt;The Hon Jamie Briggs MP</td>
</tr>
<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Minister for Trade and Investment</strong>&lt;br&gt;Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>The Hon Andrew Robb AO MP&lt;br&gt;Senator the Hon Brett Mason</td>
</tr>
<tr>
<td><strong>Minister for Employment</strong>&lt;br&gt;(Leader of the Government in the Senate)&lt;br&gt;Assistant Minister for Employment&lt;br&gt;(Deputy Leader of the House)</td>
<td>Senator the Hon Eric Abetz&lt;br&gt;The Hon Luke Hartsuyker MP</td>
</tr>
<tr>
<td><strong>Attorney-General</strong>&lt;br&gt;<strong>Minister for the Arts</strong>&lt;br&gt;(Vice-President of the Executive Council)&lt;br&gt;(Deputy Leader of the Government in the Senate)&lt;br&gt;Minister for Justice</td>
<td>Senator the Hon George Brandis QC&lt;br&gt;Senator the Hon George Brandis QC&lt;br&gt;The Hon Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Treasurer</strong>&lt;br&gt;<strong>Minister for Small Business</strong>&lt;br&gt;Acting Assistant Treasurer&lt;br&gt;Parliamentary Secretary to the Treasurer</td>
<td>The Hon Joe Hockey MP&lt;br&gt;The Hon Bruce Billson MP&lt;br&gt;Senator the Hon Mathias Cormann&lt;br&gt;The Hon Steven Ciobo MP</td>
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<tr>
<td><strong>Minister for Agriculture</strong>&lt;br&gt;Parliamentary Secretary to the Minister for Agriculture</td>
<td>The Hon Barnaby Joyce MP&lt;br&gt;Senator the Hon Richard Colbeck</td>
</tr>
<tr>
<td><strong>Minister for Education</strong>&lt;br&gt;(Leader of the House)&lt;br&gt;Assistant Minister for Education&lt;br&gt;Parliamentary Secretary to the Minister for Education</td>
<td>The Hon Christopher Pyne MP&lt;br&gt;The Hon Sussan Ley MP&lt;br&gt;Senator the Hon Scott Ryan</td>
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<tr>
<td><strong>Minister for Industry</strong>&lt;br&gt;Parliamentary Secretary to the Minister for Industry</td>
<td>The Hon Ian Macfarlane MP&lt;br&gt;The Hon Bob Baldwin MP</td>
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<tr>
<td><strong>Minister for Social Services</strong>&lt;br&gt;Assistant Minister for Social Services&lt;br&gt;(Manager of Government Business in the Senate)&lt;br&gt;Minister for Human Services&lt;br&gt;Parliamentary Secretary to the Minister for Social Services</td>
<td>The Hon Kevin Andrews MP&lt;br&gt;Senators the Hon Mitch Fifield&lt;br&gt;Senate the Hon Marise Payne&lt;br&gt;Senator the Hon Concetta Fierravanti-Wells</td>
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<td><strong>Minister for Communications</strong>&lt;br&gt;Parliamentary Secretary to the Minister for Communications</td>
<td>The Hon Malcolm Turnbull MP&lt;br&gt;The Hon Paul Fletcher MP</td>
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<tr>
<td><strong>Minister for Health</strong></td>
<td>The Hon Peter Dutton MP</td>
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<td><strong>Minister for Sport</strong></td>
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<td><strong>Minister for Defence</strong></td>
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<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon Michael Ronaldson</td>
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<td><em>Minister Assisting the Prime Minister for the Centenary of ANZAC</em></td>
<td><em>Senator the Hon Michael Ronaldson</em></td>
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<tr>
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<tr>
<td><em>Parliamentary Secretary to the Minister for Defence</em></td>
<td><em>The Hon Darren Chester MP</em></td>
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<tr>
<td><strong>Minister for the Environment</strong></td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td><em>Parliamentary Secretary to the Minister for the Environment</em></td>
<td><em>Senator the Hon Simon Birmingham</em></td>
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<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>Special Minister of State</td>
<td>Senator the Hon Michael Ronaldson</td>
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<tr>
<td><em>Parliamentary Secretary to the Minister for Finance</em></td>
<td><em>The Hon Michael McCormack MP</em></td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
<table>
<thead>
<tr>
<th>Title</th>
<th>Shadow Minister</th>
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<tbody>
<tr>
<td><strong>Leader of the Opposition</strong> Hon David Feeney MP</td>
<td>Hon Bill Shorten MP</td>
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Tuesday, 2 September 2014

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

STATEMENT BY THE PRESIDENT

Standing Orders


The Temporary Chair of Committees, Senator Smith, did not hear the allegation but asked Senator Waters to withdraw it, which she did. However, Senator Waters then suggested that an inference from the particular circumstances remained. There were further points of order and Senator Waters clarified that she did not assert that the Premier had personally received any money.

I remind honourable senators that standing order 193(3) protects members of other houses, including state parliaments, against offensive words, imputations of improper motives and personal reflections. All such remarks are considered highly disorderly. It is clearly disorderly to make a direct assertion of corruption. An inference linking receipt of funds or in-kind support with particular action invites certain conclusions and may also offend the prohibition against personal reflections. Consideration of the proof Hansard shows that Senator Waters sailed dangerously close to doing so but, having clarified what she meant, was allowed to continue by the chair.

I remind all senators of the need for courtesy in debate in accordance with the standing orders. I also remind senators of the need to listen to and respect the chair.

BUSINESS

Consideration of Legislation

Senator CORMANN (Western Australia—Minister for Finance) (12:32): I seek leave to move a motion relating to the consideration of the Minerals Resource Rent Tax Repeal and Other Measures Bill 2014.

Leave not granted.

Senator CORMANN: Pursuant to contingent notice standing in the name of the Leader of the Government in the Senate, Senator Abetz, I move:

That so much of the standing orders be suspended as would prevent Senator Abetz moving a motion to provide for the consideration of a matter, namely a motion relating to the consideration of the Minerals Resource Rent Tax Repeal and Other Measures Bill 2014.

The parliament has now debated the mining tax repeal legislation for longer than it debated the original mining tax package and related measures putting this failed tax in place. So far, we have spent nearly 32½ hours all up debating the mining tax repeal package, compared to 30 hours and 40 minutes to introduce the original tax and associated measures. If this motion is successful, after this debate, we will have spent nearly 34 hours debating the mining tax
repeal package. The suggestion that we have not spent enough time and that we do not know what our respective positions are in relation to this bill would not be a fair characterisation.

The government's position has been very clear in relation to this bill for a very long time. We are committed to repeal Labor's failed mining tax because it is bad for our economy, bad for investment and bad for jobs. We also campaigned and were elected on a platform to repeal the unfunded promises Labor attached to their failed tax. However, when we put this legislation to the Senate for a second time back in July, the Senate voted to support the repeal of the mining tax but also to keep three of the measures the previous government attached to it in place. The government have listened to the Senate and, since that vote in July, engaged positively and constructively with party leaders and senators who were prepared to work with us on a way forward to ensure we could repeal the mining tax in a way which accommodated the support in the Senate for those three measures while not detracting from our important efforts to repair the budget.

I would like to thank in particular Mr Palmer, the Leader of the Palmer United Party, the Palmer United Party senators, Senator Muir, for the Australian Motoring Enthusiasts Party, Senator David Leyonhjelm, for the Liberal Democrats, and Senator Bob Day, for the Family First Party, for their very positive and constructive engagement in the pursuit of common ground on this important bill in the national interest. I am pleased to announce that the government has received indications from a majority of senators in this chamber that they will support our mining tax repeal package subject to amendments which are currently being circulated in the chamber. Those amendments implement an agreement between the government and the Palmer United Party and the Australian Motoring Enthusiasts Party reflected in a letter to the Leader of the Palmer United Party, which I table now.

Those amendments are very straightforward and easily dealt with. They will ensure that the low-income super contribution remains in place until 30 June 2017, well and truly after the next election. The income support bonus remains in place until 31 December 2016, after the election. The schoolkids bonus, means-tested so that only families earning up to $100,000 per year will qualify, will remain in place until 31 December 2016, also after the election. Compulsory super will not be increased again from where it is now until 1 July 2021, when it will increase to 10 per cent, increasing by further 0.5 per cent increments every year from 1 July 2022 onwards until it reaches 12 per cent. If the government's amendments to the mining tax repeal package today are passed, those increases will be specified and locked into the legislation.

This is not an adverse unexpected change as it will leave Australian workers with more of their own money pre-retirement, which they can spend on paying down their mortgage, spend on other matters or save for their retirement through superannuation as they see fit. It will also reduce the cost of doing business, helping business employ more Australians.

We have also agreed to support the establishment of two parliamentary joint select committees—one to investigate the establishment of an Australia fund to more effectively deal with and respond to natural disasters, and a second to investigate measures to further boost Australia's trade and investment performance.

If this bill is supported by the Senate, it means that the mining tax will be gone, as promised. It will mean that the three measures the Senate indicated in July it wanted to keep are secure—until 31 December 2016 for the income support bonus and the means tested...
schoolkids bonus, and until 30 June 2017 for the low-income super contribution. It will then be up to the next parliament and the government elected at the next election to determine how it wishes to proceed with those measures after the next election.

The passage of this bill secures just over $10 billion in budget bottom line improvements over the current forward estimates, with that growing in the period beyond the forward estimates. It also achieves savings in the period beyond the forward estimates as a result of the proposed changes to the implementation of the phased increase in compulsory super. The cost of the amendments over the forward estimates is just over $6.5 billion, leaving a net saving of just over $10 billion over the current forward estimates. That additional cost over the forward estimates will, in effect, be offset by additional savings beyond the forward estimates with the effect that, by the end of 2023, the effect of all of the amendments before the Senate today is, broadly, budget-neutral. I commend this motion, the mining tax repeal bill and the amendments to the Senate. (Time expired)

Senator WONG (South Australia—Leader of the Opposition in the Senate) (12:38): What we see today is a stealth attack on the Senate and a government treating this Senate with the same contempt with which it treats the Australian people. We know the contempt with which this government treats the Australian people because we know that before the last election this government told Australians a range of things that are now demonstrated to be lies. 'There will be no cuts to education; there will be no cuts to health; there will be no changes to the pension; there will be no cuts to the ABC and SBS.' And, of course, 'There will be no adverse changes to superannuation.' Well, that is the latest lie in a conga line of lies from this government, which is utterly contemptuous of the Australian people. What the minister just read out is another broken promise.

What those on that side of the parliament want is to ram through a new amendment, a new aspect, in the MRRT legislation. It was rammed through the lower house yesterday without even a second reading speech being given by the relevant frontbencher. They want the Treasurer of this country, the bloke who thinks that poor people do not drive cars, to have the discretion as to whether Australians should get an increase in their superannuation. We will just give Joe Hockey the discretion!

I will say something to the Palmer United Party and to other Independents in this chamber. We recognise you will not vote with us on occasions. We recognise that and we respect it. We disagree with you on things but we respect your right to choose which way you vote. We do not respect doing a deal, coming in at 12.30 and voting to suspend standing orders so as to truncate debate to deliver a deal without notice. We in the opposition have tried to deal with you with courtesy; we have tried to deal to make sure, even when we disagree, we do so respectfully and give you appropriate notice. We were told of this stealth attack at 12.25. That is when the Manager of Opposition Business was told.

What is this government doing? Here we have another deal—another dirty deal that they tried to ram through the chamber just like we have seen before, showing as much contempt for this Senate as they show for the Australian people, as they break promise after promise after promise, and then tell people they are actually not breaking any promises. As I said, the minister on that side essentially read out a whole range of new policy positions in that introduction, which senators are supposed to absorb, debate and to consider. Presumably, perhaps, some of the crossbenchers might have that in writing. Those of us on this side of the
chamber only had the benefit of the wisdom of the minister as he spoke. What is the Senate supposed to do? Apparently, what the Senate is supposed to do is say, 'We reckon we should make a change to superannuation in this legislation and we reckon Joe Hockey is doing such a great job that we will give him a bit more power. We will give him a bit more power to decide if we should dole out another superannuation guarantee increase.' What contempt for the Australian people.

Senator Cormann: Read the amendments.

Senator WONG: The minister says, 'Read the amendments.' We will when we get them, Minister. He is inviting the opposition, the Labor Party and presumably the Greens—I presume they have not been told about this either—to read the amendments. I look forward to them being circulated, given the minister circulated them about four minutes ago.

Anyway, there was another lie, or falsehood—or perhaps misinformation might be correct—in what the minister put to the chamber when he said that the Senate was holding up the passage of the mining bill. The government got the mining repeal legislation through. What they did not like was the amendments protecting expenditures that are important to working people. They did not like the amended bill. That is what they are actually talking about, because they do not like democracy and they do not like to be questioned. Today, of all days, what we should remember is that Mr Abbott, on 5 August, told another lie:

There's a commitment that I want to give you … There will not be deals done with independents and minor parties under any political movement that I lead.

Well, what are we seeing today? We are seeing another dirty deal and a stealth attack on the Senate designed to ram through legislation by 1.40—it was rammed through the lower house yesterday and has changes in it that have not been debated—just because this government wants a political win. (Time expired)

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:43): Yesterday, I tried to suspend standing orders to have a debate in this parliament about a decision to commit Australian troops on a military intervention in Iraq. And that was not deemed to be a reason to suspend standing orders. The most important issue that you will ever deal with is whether or not you send young Australians into harm's way. But, today, we come in here and the government, as a result of a deal that it has done with the Palmer United Party, is seeking to suspend standing orders—and, not only that, ram the whole thing through in an hour without even having circulated the amendments.

They had the courtesy to tell the Labor Party that they were going to do it. They did not even have the courtesy to tell us they were even going to bother doing it. Within one hour, they want to come in here, circulate amendments, just bang them on the desk and say, 'It does not matter what you think about it, we have done the deal, we have the numbers, we can ram it through.' And there has been no opportunity for us to see what this is going to do to people around Australia with regard to the schoolchildren's bonus, superannuation contribution for lower income people, and the family tax benefit.

What does it all mean? Most particularly, it gives Clive Palmer what he wanted—that is, it gets rid of the mining tax for the big miners so that maximum profits can go to the big miners. Who are the losers? The losers are the people around Australia who thought that they might
get some support with their superannuation—people on low income who wanted the ability to build their superannuation for their retirement.

With regard to superannuation, we are told all the time that people have to contribute to their retirement, yet this legislation will mean an inevitable delay in going from the nine per cent to the 12 per cent. And that is not fair. It is not fair that Gina Rinehart can maximise her profits and that the other big miners can maximise their profits but that these things are going.

The Greens have said all along that the issue here is that we need to raise revenue in this country so that we can provide for and help people with superannuation, so that we can provide the health and education services we need, so that we can invest in our universities and so that we can invest in the future. That is why the Greens have said: 'Fix the mining tax so that we can return $39 billion over the forward estimates. If you get into this and fix the mining tax we can make a great deal of money for the country.' Instead of that, the government is letting the big miners off the hook.

We should not be surprised that somebody who has so invested in the resource based industries and in the mining industry would want to facilitate an end to the mining tax. That is wrong for this country. We should be expecting companies that make mega profits to invest in the best interests of the future, which is in health and education.

Finally, we are seeing here a contempt for the Senate. I cannot remember when we had something brought into the chamber and were told we had one hour, with amendments dropped on the desk with no attempt to explain or understand what they mean. That is why this is a wrong way to go.

If the Palmer United Party and the government were so confident that this is a good deal they would have dealt with it in the appropriate way, we would have had a chance to look at these amendment and we would have had a chance to make the case, yet again, for an increase in the mining tax by fixing the mining tax and ending the loopholes that the big companies sorted out for themselves.

After all, the reason the mining tax is not returning the money that it should to the community, for the resources that the community owns, is because Xstrata, BHP and Rio Tinto ran rings around Wayne Swan and the former Prime Minister Julia Gillard. That is why we do not have the money. The companies got what they wanted: not paying the tax. The former government got what it wanted: a deal on a mining tax. But the community lost. Now is our opportunity to give the community a win, keep the mining tax, fix the mining tax and maintain the efforts we had to support low income earners with their superannuation contributions.

Senator LAZARUS (Queensland—Leader of the Palmer United Party in the Senate) (12:48): I would like to inform the chamber that this is not my first speech.

As the Leader of the Palmer United Party in the Senate, on behalf of Palmer United and Senator Muir of the Australian Motoring Enthusiast Party, I would like to inform the chamber and the people of Australia that we support the amendments put forward by the government. We support these amendments because we must remove the mining tax so that this unjust, unfair and unnecessary tax is removed from Australia as soon as possible. This tax is hurting investment in Australia and diminishing our competitiveness on the world stage.
The Palmer United Party has always supported the removal of the mining tax, but we would not allow the tax to be removed unless key elements—including the schoolkids bonus, the low income super contribution and the low income support bonus—were retained. Today, Palmer United is grateful that the government has agreed to our insistence that the mining tax be removed while still retaining these important measures.

This is a win for hardworking Australians across the country including single parents, carers, pensioners, low income earners and others who rely on much needed support to survive. Many women would have been affected by the removal of these important measures. In fact, of the 3.6 million Australians benefiting from the low income super contribution, 2.1 million are women. Retention of these measures is a win for women and a win for the most vulnerable in our community.

The amendments we have initiated and secured the government's support for—and which are being put forward today—will ensure that the low income superannuation contribution remains in place until 30 June 2017; the low income support bonus remains in place until 31 December 2016; and the schoolkids bonus, which is means tested so that families earning up to $100,000 per year will qualify, will remain in place until 31 December 2016.

These amendments ensure these three key measures which the previous government attached to the mining tax will remain in place and protected until after the Australian people have spoken at the next election. The Palmer United Party wants to ensure that we take care of our people and treat our citizens with respect, decency and kindness. This is the Australian way. This is the Palmer United way.

Importantly, we will also support the government's proposal not to increase compulsory superannuation again—from where it is now at 9.5 per cent—until 1 July 2021, when it will increase to 10 per cent, increasing by further 0.5 per cent increments every year from 1 July 2022 onwards until it reaches 12 per cent.

Among other things, this will now leave Australian workers with more of their own money in their own pockets pre-retirement. As well, it will mean lower costs for businesses, helping them to employ more Australians. Businesses employ the majority of Australians, and we must support them to grow employment. Australians need more jobs.

The Palmer United Party and the Australian Motoring Enthusiast Party have also been able to secure government support for the establishment of two important parliamentary committees. One is a joint select committee which will investigate the establishment of an Australia fund to more effectively deal with, and respond to, natural disasters. The second is a joint select committee to investigate measures to further boost Australia's trade and investment performance.

Finally, as I have indicated, we in the Palmer United Party and the Australian Motoring Enthusiast Party recognise that the mining tax debate has gone on for far too long, and this is why we support the amendments put forward by the government to remove the mining tax once and for all by 2 pm today, while still retaining much needed support for hardworking Australians.

Senator MOORE (Queensland) (12:52): I suppose we do not need this half hour. We certainly do not need until whatever time this afternoon for the debate, as we just heard the debate on the bill. We just heard what has been agreed to. I called the Manager of
Government Business this morning to discuss what was happening on general notices of motion this afternoon. Naturally, I did not immediately get a call back because people are very busy. It was not until 24 minutes past 12 that I got a call back from the Manager of Government Business in the Senate not to respond to the question I put but to tell us that we were going to have ‘a time managed process to look at the MRRRT’.

That was seemingly not a surprise to many people who have been able to gather in the chamber today to hear about what is going to happen. It was a bit of a surprise to us, because we thought we had an established process, that we would have a discussion around how we would bring the bills on in this place and how we would work through them and come up with a parliamentary decision.

We have had many hours of debate on this bill. We know that. We think it is an important bill. The hours of debate we had a couple of weeks ago on this issue led to a range of decisions around important issues, some of which have come up today in amendments which we have just seen. These include important areas around low-income super and the schoolkids bonus. Those are issues that we debated in this place and understood. We have now seen the government response and we have to work out what has happened.

But the absolute doozy is this new proposal on superannuation for other Australian workers. We have not seen this before. This in itself constitutes an issue which demands debate in the Senate. It is definitely something that all of us care strongly about. Superannuation, as we know, is an important element for all Australian workers. Today an amendment which we have just seen has come through looking at a wage freeze for Australian workers for seven years. I have would have thought that this was a significant issue not just for this chamber but for workers and employers all across this nation. However, as we are led to believe is going to be standard practice from this government, they did not bring this out so we could look at it carefully, see the impact and look at the costings. We know that one thing about this particular amendment is that it will not be a spend; it will be a save. It will be a big save. And at whose expense will it be? It will be at the expense of people who are working in our community. To have their guaranteed superannuation frozen into the future is not really an incentive. It does not protect the real value of super and, in fact, is a wage cut.

We believe that the issues that we have before us are significant. They demand some cooperation from people in this chamber to bring forth the real arguments. But, as I have said, we have heard that the process is going to be, in effect, guillotined in the Senate. We have got through three weeks of sittings in the new parliament and already we have a guillotine that is going to affect legislation impacting on Australian workers. We need better than this. If this is going to be their methodology, I would suggest we do not even have to come into this chamber. A deal could be made. We may take up the wonderful proposition that I remember then Senator Barnaby Joyce suggesting in this chamber of email voting! We could just have information sent out and we could press a button saying yea or nay.

Bringing this into this chamber in this way today, in effect, negates the opportunity for debate and negates the opportunity for questions. As the motion now reads, we will have about 40 minutes to push through all the amendments and push through this whole bill. Then people can go out to the community and say they have saved the people of Australia. But what they have actually done, as has happened many times, is come to a deal. We have not
had appropriate Senate scrutiny of a major change in policy and a major savings measure which was not put out in the budget and was never debated.

We should have known yesterday when we heard all those bells ringing over in the other place and saw all those flashing green lights that something was happening. We should have known that. But we will not even have the chance for a flashing red light in the Senate today— *(Time expired)*

**Senator XENOPHON** (South Australia) (12:58): I will be as brief as I can. I will speak to the motion, but I just want to open with the final words of then Senator Nick Minchin to this parliament. I will remind honourable senators of what he said. He said:

I close with just one piece of gratuitous advice to all senators, and that is to remember the virtue of earning the respect of your colleagues on all sides of the chamber—earn their respect for your integrity, your decency, your passion, your commitment to your ideals and your willingness to do unto others as you would have them do unto you.

That pretty much sums it up. This is no way to run a parliament. This is no way to run a country.

I actually happen to think that two of the three compromises are not too bad. The fact that we have kept the low-income superannuation support is good. The fact that there has been a compromise on the schoolkids bonus is a good thing. I do think, though, that it is extraordinary that we are throwing away and abandoning the issue of increases in compulsory superannuation for effectively seven years, as Senator Moore has said. It is outrageous.

Also, let us put this in perspective for all these new senators in this place. We get—and I am not criticising anyone for this—15 per cent super, our staff get 15 per cent super and public servants get 15 per cent super, but we are going to say to the rest of the country, 'You are going to be stuck on 9½ per cent.' That is wrong. I am not going to have a go at my crossbench colleagues for the deal that was done. No doubt they acted in good faith. But the trouble with stealth attacks is that they will be done to you eventually.

My negotiating style—this is probably why I have not been able to negotiate with the government on this, and I am not criticising Senator Cormann—is that I will tell everybody on both sides what I am doing so there is no subterfuge and no secrecy. That is the way I would like to do it; it probably infuriates Senator Cormann. I am grateful that Senator Cormann did speak to me. We eventually spoke at about 12.27 pm today and I knew what was going on. I did get a heads up—only a little heads up, but I am grateful that I got that.

This sets a very bad precedent in this place. My plea to the crossbenchers who support this legislation and this package of measures is: let us at least have a couple of hours of debate. That is, at least, better than rushing it through. There are some important issues here in this bill as to the mechanics of it and how it will work. What we are doing is using the guillotine again. The other side did it, the opposition—they did it ruthlessly. I am not having a go at the Greens and the opposition but they did it too, ruthlessly, in the previous parliament. The other side is using the same technique.

This is bad for democracy. It is bad for our parliament and I would urge at least some decent level of debate. I do not know whether these questions will be answered. This sets a
very bad precedent. Senator Nick Minchin—a great senator in this place and a good man—was absolutely right in his closing remarks. We should heed that.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (13:01): If you listen to the contributions from the Australian Labor Party and the Australian Greens you could be forgiven for thinking that never in their time in office—never during the period that they were in coalition—did they put forward time management motions. But I can remember very clearly time management motions from Senator Ludwig. I remember very clearly time management motions from Senator Collins. In fact, Senator Collins started to develop the nickname 'the queen of the guillotine', so often did she seeks to deploy time management motions.

The reason the government is seeking to use this procedure in this place is because, with the exception of the carbon tax repeal legislation, there has been no package of legislation regarding which the Australian Labor Party has sought to defy the will of the Australian people on more occasions than the MRRT package of legislation. The Australian public were very clear at the last election on what they wanted in relation to the carbon tax and the MRRT. We are merely seeking to give effect to the will of the Australian people as expressed at the ballot box. That is what we are seeking to do here. The Australian Labor Party have thwarted every attempt of the government to do that. It is worth noting that there has, in fact, been 34 hours of debate on the repeal of the MRRT, as opposed to 30 hours of debate on the imposition of the MRRT. There has been more debate about repealing that which the Australian Labor Party put in than was provided for its imposition. This procedural motion should be supported.

The PRESIDENT: Order! The time allotted for the debate has expired. The question is that the motion moved by Senator Cormann to suspend standing orders be agreed to.

The Senate divided [13:07]

(The President—Senator Parry)

Ayes ....................34
Noes ....................30
Majority ...............4

AYES

Back, CJ
Birmingham, SJ
Canavan, M.J.
Colbeck, R
Day, R.J.
Fawcett, DJ
Fifield, MP
Lambie, J
Leyonhjelm, DE
McGrath, J
Muir, R
O'Sullivan, B
Payne, MA
Ronaldson, M
Scullion, NG
Sinodinos, A

Bernardi, C
Bushby, DC (teller)
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Lazarus, GP
Madigan, JJ
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Ruston, A
Seselja, Z
Smith, D
SENATE
Tuesday, 2 September 2014

AYES

Wang, Z
Williams, JR

NOES

Bilyk, CL
Brown, CL
Bullock, J.W.
Conroy, SM
Dastyari, S
Di Natale, R
Gallacher, AM
Hanson-Young, SC
Ketter, CR
Lines, S
Ludlam, S
Ludwig, JW
Lundy, KA
Marshall, GM
McEwen, A
McLucas, J
Milne, C
Moore, CM
O’Neill, DM
Peris, N
Rhiannon, L
Rice, J
Siewert, R
Singh, LM
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS
Wong, P
Wright, PL
Xenophon, N

PAIRS

Abetz, E
Collins, JMA
Brandis, GH
Sterle, G
Johnston, D
Cameron, DN
Macdonald, ID
Faulkner, J
Mason, B
Polley, H
Ryan, SM
Carr, KJ

Question agreed to.

Senator CORMANN (Western Australia—Minister for Finance) (13:09): At the request of Senator Abetz, I move:

That—

(a) the Minerals Resource Rent Tax Repeal and Other Measures Bill 2014 be called on immediately, have precedence over all government business and be considered under a limitation of time;

(b) the question that the bill be now read a second time be put immediately after the bill is called on and that the time allotted for all remaining stages be until 1.40 pm;

(c) subject to paragraph (d), this order shall operate as a limitation of debate under standing order 142; and

(d) at the expiration of time, the question shall be put on all circulated amendments.

I also move:

That the question be now put.

The PRESIDENT: The question is that the question be now put.

Question agreed to.

The PRESIDENT: The question now is that the substantive motion be agreed to.

The Senate divided. [13:11]
(The President—Senator Parry)

Ayes ......................34
Noes ......................30
Majority ...............4

AYES

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

NOES

Bilyk, CL
Bullock, J.W.
Dastyari, S
Gallacher, AM
Ketter, CR
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
O’Neill, DM
Rhiannon, L
Siewert, R
Urquhart, AE (teller)
Whish-Wilson, PS
Wright, PL
Brown, CL
Conroy, SM
D’I Natale, R
Hanson-Young, SC
Lines, S
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Peris, N
Rice, J
Singh, LM
Waters, LJ
Wong, P
Xenophon, N

PAIRS

Abetz, E
Brandis, GH
Johnston, D
Macdonald, ID
Mason, B
Ryan, SM
Collins, JMA
Sterle, G
Cameron, DN
Faulkner, J
Polley, H
Carr, KJ

Question agreed to.
BILLS

Minerals Resource Rent Tax Repeal and Other Measures Bill 2014

Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

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

The Senate divided. [13:14]

(The President—Senator Parry)

Ayes ...................... 34
Noes ...................... 30
Majority ............... 4

AYES

Back, CJ
Bernardi, C

Birmingham, SJ
Bushby, DC (teller)

Canavan, M.J.
Cash, MC

Colbeck, R
Cormann, M

Day, R.J.
Edwards, S

Fawcett, DJ
Fierravanti-Wells, C

Fifield, MP
Heffernan, W

Lambie, J
Lazarus, GP

Leyonhjelm, DE
Madigan, JJ

McGrath, J
McKenzie, B

Muir, R
Nash, F

O’Sullivan, B
Parry, S

Payne, MA
Reynolds, L

Ronaldson, M
Ruston, A

Scullion, NG
Seselja, Z

Sinodinos, A
Smith, D

Wang, Z
Williams, JR

NOES

Bilyk, CL
Brown, CL

Bullock, J.W.
Conroy, SM

Dastyari, S
Di Natale, R

Gallacher, AM
Hanson-Young, SC

Ketter, CR
Lines, S

Ludlam, S
Ludwig, JW

Lundy, KA
Marshall, GM

McEwen, A
McLucas, J

Milne, C
Moore, CM

O’Neill, DM
Peris, N

Rhiannon, L
Rice, J

Siewert, R
Singh, LM

Urquhart, AE (teller)
Waters, LJ

Whish-Wilson, PS
Wong, P

Wright, PL
Xenophon, N
Question agreed to.

Bill read a second time.

Reference to Committee

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (13:16):
Pursuant to standing order 115(2)(a), I move:

That the Minerals Resource Rent Tax Repeal and Other Measures Bill 2014 be referred to the Economics References Committee for inquiry and report by 23 October 2014.

I have a whole range of reasons for this motion. Most importantly, however, it is so we can understand what filthy deal has been done. So far we here in parliament are learning more from tweets than we are from the chamber, the minister involved and the PUP Senators who have once again been mugged and conned by this government.

This is a government that promised no surprises. This is a government which is a shambles. I saw the Treasurer in the chamber just before shaking hands. After his debacle at his party room meeting this morning, when the Prime Minister of Australia, the Minister for Foreign Affairs and the senior Western Australia minister slapped him down for attacking Colin Barnett, we can understand why he is so desperate to get any sort of win over any piece of legislation.

This chamber deserves and is entitled to understand exactly what these measures do. There may have been a few nice cups of tea between Senator Lazarus and Mr Hockey, but that does not suffice as parliamentary debate. He may have been so willing to give you whatever it is that you think you have got, Senator Lazarus, but it is incumbent upon you to come into this chamber and explain to the Australian public, in more than a two- or three-minute speech, what you think the impacts here are. You have to justify and explain to the seven million to eight million Australians receiving superannuation why they are now getting less superannuation because of PUP. PUP needs to explain why that is the case.

Senator Lazarus interjected before. He said that they want the money now. If they want the money now, why are you repealing the low-income superannuation contribution? Why are you repealing the income support bonus? Why are you repealing the schoolkids bonus? You are trying to pretend that you are keeping them for a while, but you say yourself that the Australian public needs the money now. You know who the last person was who said something like that when it came to superannuation? His name was Norm Gallagher. Norm Gallagher opposed superannuation payments in the 1980s because, he said, 'The workers need them now.' So you are up there with Norm Gallagher with your vision and your understanding of superannuation.

Australia's superannuation scheme is considered worldwide to be a gold star superannuation scheme that ensures that Australians do not need to live in poverty and do not need government contributions into the future in order to live. All around the world people
look at our superannuation system and give it a big tick. But we have the Norm Gallagher approach from Senator Lazarus, who says, 'No, the people need the money now'—and then he cuts a whole bunch of benefits to ordinary Australians. The hypocrisy of this position genuinely needs to be explained. To support the gag and to do the deal on the amendments is one thing, but to vote against sending this to committee is an entirely different standard.

Senator Xenophon has quoted Senator Minchin, but that does not matter to PUP. You go into your party room and allegedly have disputes. Maybe you even compare notes with Mr Hockey about what it is like to have a fight in your party room on a given day. I do not know what is behind this. But these amendments deserve to be scrutinised. They do not deserve to be shoved through the Senate as if it were a sausage machine. There is no difference if you are supporting these amendments. You should not be afraid to have these amendments put through a Senate committee so that the parliament and the people of Australia can absolutely understand. What are you afraid of in PUP? Why are you afraid of scrutiny? Why do you want to put these amendments through this morning? Why cannot they go, as per this motion I have moved, to a Senate committee?

Apparently the Prime Minister has already booked the blue room and Mr Hockey is desperate for a win this morning to cover his debacle of a performance in the party room. You, PUP, are going to be complicit in covering up what Mr Hockey has been up to this morning. Why cannot this chamber have an examination of these amendments for a few weeks?

Senator MILNE (Tasmania—Leader of the Australian Greens) (13:22): I support Senator Conroy's motion to refer the Minerals Resource Rent Tax Repeal and Other Measures Bill to a committee. It is absolutely imperative that there is an opportunity to scrutinise what this deal actually does. I can tell you this: what it does is cast a real blow to every working Australian's superannuation, because it is saying: 'Big miners, get out there and pop your champagne corks. Clive Palmer has just delivered for himself and for you—for Rio Tinto, for BHP, for all of them—a mega windfall gain.' If ever there was a conflict of interest, it is this one.

How is it possible that you can have a coal billionaire voting down a mining tax? His friends in the mining industry get off scot-free, and who pays? They have frozen the superannuation entitlements of ordinary working Australians for seven years so that over there in the corporate boardrooms of the mining industry they can drink their champagne. I bet they sit here and think what a great effort it was all those years ago, when they negotiated the mining tax, that they ran an advertising campaign and got it watered down. Then today Clive Palmer delivers for them. This is the Mr Palmer who is trying to open up a mega coalmine in the Galilee Basin in Queensland—the Waratah coalmine—driving climate change. But do we care? No, apparently the Palmer United Party is very happy to abandon carbon pricing—another windfall gain.

This is exactly what the Australian people were concerned about—the prospect of a mining billionaire coming in here and changing the law to facilitate a benefit to the big miners at the expense of ordinary working Australians. That is an absolute disgrace. As for trying to pitch this as some kind of win, all they are doing is delaying the abolition of the benefits that are here, whether in terms of the schoolkids bonus or anything else. It is just delaying abolition. The Greens are saying that we should be raising money from the big miners in order to put it into health and education and benefits.
I want to go to the area of superannuation again, because it is critical. Why is it fair that those in the public service, those in politics, including those in the Palmer United Party, sit here and get 15 per cent superannuation going into retirement but that working people are still stuck on nine per cent superannuation? We are saying that for seven years you can be frozen at that level; for seven years you can put up with that so that BHP can pop the champagne corks and so that Gina Rinehart can say, 'Now I've got more profits, I can push the abolition of the minimum wage and do you in even further.' That is where this is going.

This country has become a plutocracy. Democracy has gone out the window. This is a plutocracy—a government for the wealthy by the wealthy. We now have a deal in here with a coalmining billionaire abolishing tax on coal profits to benefit the big end of town, for whom the Abbott government governs at the expense of ordinary people. That is an absolute disgrace. Then to have it dumped in here as a deal and expect us to deal with it in this short time is completely wrong. We need the opportunity to scrutinise this. That is why it should be going to the committee, as has been proposed, and as we are now debating.

Whilst there will be big smiles in the Liberal Party rooms and big smiles around the mining tables—big smiles for the Palmer United Party because the leader of the party has just locked in mega profits for himself so that he will never have to pay the mining tax—let's make it very clear that this is a conflict of interest. If anyone in a boardroom were in the same position they would be forced to leave the meeting. We have got to a ridiculous stage in this parliament, in this country, where you can come in here and vote for your own financial self-interest in such a mega way. It is wrong. That is why so many Australians are becoming disillusioned with the parliamentary process, because they look at this parliament and say that it is not these parliamentarians making the decisions; it is big money at the big end of town. (Time expired)

The ACTING DEPUTY PRESIDENT (Senator Gallacher): Senator Cormann.

Senator CORMANN (Western Australia—Minister for Finance) (13:27): Thank you, Mr Acting Deputy President.

Senator Wong interjecting—

Senator CORMANN: We have had a Labor Speaker, we have had a Greens speaker and now it is my turn.

Senator Wong: You have done the deal; why don't you let the Senate debate it?

The ACTING DEPUTY PRESIDENT: The Leader of the Opposition has the call.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (13:27): Thank you, Mr Acting Deputy President. I find it interesting that the minister wants to jump up and have a debate when he is truncating debate, and he has had the debate in the office of the Treasurer, the cups of tea—

Senator Edwards: Mr Acting Deputy President, I raise a point of order. I was clearly in full line of sight, and Senator Cormann was on his feet seconds before the Leader of the Opposition. Review the tape. He was on his feet three seconds before the Leader of the Opposition.

The ACTING DEPUTY PRESIDENT: The Leader of the Opposition has the call.

Senator Ludwig: Mr Acting Deputy President, on the point of order, what a ridiculous submission Senator Edwards just made: 'Review the tape.' We could all take five minutes to
go back and have a look at the tape. It is a ridiculous point of order. Senator Edwards is embarrassed by the coalition's position on this bill and seeks to take a superfluous point of order. It is completely ridiculous. It is a point of order that should fail. It is a point of order that really highlights the coalition's position with respect to this bill. Their position is that they want to ram legislation through the Senate. When you look back at what they have said in the past about this conduct, you see that Senator Edwards is just supporting this position.

The ACTING DEPUTY PRESIDENT: Senator Ludwig, there is no point of order. You are debating the issue. Senator Wong has the call.

Senator WONG: I rise to support the motion moved by Senator Conroy, and I do so because I think the eight million Australians whose superannuation will now be frozen for seven years are probably entitled to know a bit about it before this Senate votes on it—because that is what this bill does. That is what this dirty deal, which was thrown on the table just a few minutes after the Senate came to order, does. This deal asks us to vote on it straightaway. That is what this deal does. Amidst all the colour and movement and all the procedural shenanigans—the Treasurer and Mr Palmer were in here a few moments ago to watch the deal being delivered—there is a fundamental single proposition here. One thing Australians need to know is that this government and the crossbenchers—Senator Day, Senator Leyonhjelm and PUP—have agreed to freeze your superannuation for seven years. That is the one thing Australians need to know. What I would say is: I don't recall that policy before the election. Does anybody remember Mr Abbott giving that commitment?

Opposition senators interjecting—No!

Senator WONG: In fact, I remember Mr Abbott giving a commitment that there will be no adverse changes to superannuation. I think the millions of Australians who have been subjected to this deal, without any opportunity to talk to the people who are trading their money away, without any opportunity to talk to these senators and to hold them accountable for the money that they are trading away, would probably think that having their superannuation frozen for seven or eight years is probably an adverse change.

You know what: it is the change that dare not speak its name. It is the change the government actually does not want to expose to scrutiny. This is so recent a dirty deal, so secret a dirty deal, that what they are putting to the chamber now is different to what they rammed through the House of Representatives yesterday. I tell you what: this is not calm and methodical government, is it? It is government by deal-making and government by Mr Palmer. That is what it is: government by deal-making behind closed doors and government by Mr Palmer. He is making you break an election commitment: no adverse changes to superannuation. And you do not even have the spine to actually expose this deal to some scrutiny, to actually talk to Australians, because it is their superannuation savings you have traded away in order to get a political win.

The contempt with which this government clearly hold the Australian people has been on display every day since they were elected and certainly in the budget and subsequently. Day after day after day they break their promises and then they even have the temerity to tell Australians: 'Oh, we're actually not breaking our promises. We're actually not. I know that looks like a cut to health. I know that looks like a cut to education. I know it looks like a cut to the pension. But it's not, really. We're keeping our promises.' This should go to a committee
for inquiry, because I think millions of Australian are entitled to know what the rest of this deal is.

Senator Lazarus got up and said: 'We're keeping things. They get the money now. That's what they need.' What the Palmer United Party have done, despite the fact that they went out so hard on the schoolkids bonus, the income support bonus and the low-income superannuation contribution— I hate to break it to you—is that they are still voting for repeal. They are still voting to cut those things, just a few years later. Senator Lazarus, if I have got it wrong, you stand up and tell me, because I have just looked at the explanatory memorandum and it talks about the date of repeal of those things. So it is a couple more years on repeal but you are still voting to repeal it. You have got a deal where you froze the superannuation of millions of Australians and you are voting to cut the things you said that you would defend. Well, I would like to know and I suspect many Australians would like to know: what else was part of this deal? So far it does not sound like a very good deal. It sounds like a deal that a lot of working people who voted for Palmer United, who voted for senators on the crossbench, would probably reckon is a pretty bad deal.

Senator CORMANN (Western Australia—Minister for Finance) (13:34): It will not surprise the chamber to hear me say that the government will not support the proposed amendment from the Labor Party. It is just another delaying tactic by the Labor Party in a desperate attempt to keep in place a failed tax which has hurt the economy, which has hurt investment in the mining industry and which has hurt the capacity for Australia to create more jobs so that people across Australia can get ahead. This mining tax repeal bill has now been debated for 33½ hours. This is now three hours more than the previous government spent on the whole debate putting the mining tax in place in the first place, with all of the associated measures attached to it.

I thank the Senate for their support today in helping to facilitate the efficient passage of this legislation, because it will help us build a stronger, more prosperous economy. It will help us create more jobs, because—guess what?—a strong mining industry, despite Labor's and the Greens' attacks on the mining industry, a strong mining industry is good for Australia, is good for the Australian economy and is an important part of generating more jobs so that young people across Australia can have more opportunity to get ahead.

The agreement that the government has reached with crossbench senators, led by the leader of the Palmer United Party, Mr Palmer, does secure the retention of the schoolkids bonus until after the next election. We have been quite transparent about the fact that it secures the retention of the schoolkids bonus on a means tested basis until 31 December 2016. Of course, at that time, after the Australian people have spoken, it will be up to the next parliament and to the next government that is elected at the next election to determine how to proceed from there on in. The Labor Party are free to go to the next election promising that they will keep the schoolkids bonus beyond 31 December 2016, that they will keep the low-income super contribution beyond 30 June 2017 and that they will keep the low-income support bonus beyond 31 December 2016. The Labor Party are free to do this, and the Labor Party are free to say in the lead-up to the next election that, if elected, they will reintroduce the mining tax.

Senator Lines interjecting—

Senator CORMANN: I am sure that Senator Lines in Western Australia will go and campaign for that particular policy. Let me make a few comments in relation to compulsory
super increases—something which is clearly not understood by the Labor Party today but which is very clearly understood by Senator Lazarus and the Palmer United Party—and that is that increases in compulsory super do not come out of thin air. They come out of people’s own pockets. They come out of people’s wages.

Opposition senators interjecting—

**Senator CORMANN:** You know what? Don’t take my word for it, because this is what Mr Shorten, the Leader of the Opposition, himself used to say when he was the Minister for Financial Services and Superannuation. All of a sudden they have all gone quiet! I table a series of quotes from then Minister Shorten, where he very clearly says that superannuation guarantee increases come out of wages. The agreement that we have reached with the Palmer United Party, the Liberal Democrat, the Australian Motoring Enthusiast Party and Family First—in the division just now it was supported by the Democratic Labour Party too—is a good agreement, because it achieves the right balance

**Senator Wong:** Mr Acting Deputy President, I rise on a point of order. I asked the minister: has this deal gone to the coalition party room?

The **ACTING DEPUTY PRESIDENT (Senator Gallacher):** That is a debating point.

**Senator CORMANN:** As we come to the end of this debate, I can see that the Leader of the Opposition, who has rammed many bills through this parliament with the support of the Greens, is getting increasingly desperate. She cannot accept that the government has worked positively and constructively with crossbench senators to find common ground. We have sought in good faith to work constructively and positively with senators in the national interest to find the right balance between making sure that we get rid of the mining tax while keeping certain benefits in place until after the next election. Then in the judgement of a series of senators—

**Senator Cameron:** Mr Acting Deputy President, I rise on a point of order. Senator Cormann is misleading the Australian public who are listening to this debate. This is not maintaining superannuation; it is ripping it away.

The **ACTING DEPUTY PRESIDENT:** There is no point of order.

**Senator CORMANN:** I can see that Senator Cameron and others do not like to hear the truth. We have reached an agreement with a majority of senators that will see the repeal of the mining tax, that will see the maintenance of the low-income super contribution to 30 June 2017, that will see the maintenance of the schoolkids bonus on a means-tested basis until 31 December 2016, that will see the maintenance of the low-income support bonus until 31 December 2016, and that will leave workers across Australia with more of their own money pre-retirement, given that we will not be increasing compulsory super again until 1 July 2021. I have tabled various statements made by the now Leader of the Opposition when he was in government where he made it very clear—*(Time expired)*

**Senator CAMERON** (New South Wales) (13:39): I have never heard so much hypocrisy in my life. You have to expect hypocrisy from the coalition. The coalition’s hand will be in every worker’s pocket and in every worker’s superannuation account for years. That is an unacceptable position.
The PRESIDENT: Order! Pursuant to order earlier today the time for the debate has now expired. The question before the chair is that the motion moved by Senator Conroy to refer the bill to a committee be agreed to.

The Senate divided. [13:44]

(The President—Senator Parry)

Ayes ......................31
Noes ......................34
Majority ................3

AYES

Bilyk, CL (teller)
Bullock, J.W.
Collins, JMA
Di Natale, R
Gallacher, AM
Ketter, CR
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
O’Neill, DM
Rhiannon, L
Siewert, R
Sterle, G
Whish-Wilson, PS
Xenophon, N

NOES

Back, CJ
Birmingham, SJ
Canavan, M.J.
Colbeck, R
Day, R.J.
Fawcett, DJ (teller)
Fifield, MP
Lambie, J
Leyonhjelm, DE
McGrath, J
Muir, R
O’Sullivan, B
Payne, MA
Ronaldson, M
Scullion, NG
Sinodinos, A
Wang, Z

PAIRS

Carr, KJ
Conroy, SM
Polley, H

CHAMBER
Third Reading

The PRESIDENT (13:51): Prior to putting the question, I want to clarify that there has been a typographical error on one of the sheets. The actual amendment sheet is GT108, so the one that has been circulated has GT108.

(1) Clause 2, page 2 (table item 4), omit the table item, substitute:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Schedule 7</td>
<td>1 July 2017.</td>
<td>1 July 2017</td>
</tr>
<tr>
<td>5. Schedule 8, items 1 to 11</td>
<td>31 December 2016.</td>
<td>31 December 2016</td>
</tr>
<tr>
<td>6. Schedule 8, items 12 and 13</td>
<td>The day this Act receives the Royal Assent.</td>
<td>31 December 2016</td>
</tr>
<tr>
<td>7. Schedule 8, items 15 to 26</td>
<td>31 December 2016.</td>
<td>31 December 2016</td>
</tr>
<tr>
<td>8. Schedule 9, Part 1A</td>
<td>The day this Act receives the Royal Assent.</td>
<td>31 December 2016</td>
</tr>
<tr>
<td>9. Schedule 9, Parts 1 and 2</td>
<td>31 December 2016.</td>
<td>31 December 2016</td>
</tr>
</tbody>
</table>

(2) Schedule 6, page 37 (lines 1 to 34), omit the Schedule, substitute:

Schedule 6—Superannuation Guarantee Charge percentage

Superannuation Guarantee (Administration) Act 1992

1 Subsection 19(2)

Repeal the subsection, substitute:

(2) The charge percentage for a quarter in a year described in an item of the table is the number specified in column 2 of the item.

<table>
<thead>
<tr>
<th>Charge percentage (unless reduced under section 22 or 23)</th>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Year</td>
<td>Charge percentage</td>
</tr>
<tr>
<td>1</td>
<td>Year starting on 1 July 2013</td>
<td>9.25</td>
</tr>
<tr>
<td>2</td>
<td>Year starting on 1 July 2014</td>
<td>9.5</td>
</tr>
<tr>
<td>3</td>
<td>Year starting on 1 July 2015</td>
<td>9.5</td>
</tr>
<tr>
<td>4</td>
<td>Year starting on 1 July 2016</td>
<td>9.5</td>
</tr>
<tr>
<td>5</td>
<td>Year starting on 1 July 2017</td>
<td>9.5</td>
</tr>
<tr>
<td>6</td>
<td>Year starting on 1 July 2018</td>
<td>9.5</td>
</tr>
<tr>
<td>7</td>
<td>Year starting on 1 July 2019</td>
<td>9.5</td>
</tr>
<tr>
<td>8</td>
<td>Year starting on 1 July 2020</td>
<td>9.5</td>
</tr>
<tr>
<td>9</td>
<td>Year starting on 1 July 2021</td>
<td>10</td>
</tr>
<tr>
<td>10</td>
<td>Year starting on 1 July 2022</td>
<td>10.5</td>
</tr>
<tr>
<td>11</td>
<td>Year starting on 1 July 2023</td>
<td>11</td>
</tr>
<tr>
<td>12</td>
<td>Year starting on 1 July 2024</td>
<td>11.5</td>
</tr>
<tr>
<td>13</td>
<td>Year starting on or after 1 July 2025</td>
<td>12</td>
</tr>
</tbody>
</table>

2 Application of amendment

The amendment made by this Schedule applies for the purpose of calculations under section 19 of the Superannuation Guarantee (Administration) Act 1992 for quarters starting on or after 1 July 2015.
(3) Schedule 7, item 7, page 38 (line 23) to page 39 (line 13), omit the item, substitute:

7 Application of amendments

(1) The amendments made by this Schedule apply in relation to concessional contributions for financial years starting on or after 1 July 2017.

(2) However, section 12G of the Superannuation (Government Co-contribution for Low Income Earners) Act 2003 ceases to apply, in relation to any quarter or financial year, at the commencement of this Schedule.

Note: Section 12G requires the Commissioner to give reports to the Minister for presenting to the Parliament. This subitem ensures that reporting under that section is required up to, but not after, the commencement of this Schedule.

(3) For the purposes of this item, concessional contributions has the same meaning as in the Income Tax Assessment Act 1997.

(4) Schedule 7, item 9, page 39 (lines 31 and 32), omit "the deadline under subitem (3)", substitute "1 July 2019".

(5) Schedule 7, item 9, page 40 (line 5), omit "the deadline under subitem (3)", substitute "1 July 2019".

(6) Schedule 7, item 9, page 40 (lines 8 to 11), omit subitem (3).

(7) Schedule 8, items 12 to 14, page 43 (lines 2 to 8), omit the items, substitute:

Farm Household Support (Consequential and Transitional Provisions) Act 2014

12 Subsection 2(1) (table item 4)

Repeal the item.

13 Item 139 of Schedule 2

Repeal the item.

(8) Schedule 8, item 23, page 44 (lines 8 to 10), omit the item, substitute:

23 Paragraph 1231(1AA)(b)

Omit ", training and learning bonus or income support bonus", substitute "or training and learning bonus".

(9) Schedule 8, item 26, page 45 (lines 10 to 15), omit subitem (2).

(10) Schedule 9, heading, page 47 (line 1), omit the heading, substitute:

Schedule 9—Schoolkids bonus

(11) Schedule 9, page 47 (before line 2), before Part 1, insert:

Part 1A—Amendments

A New Tax System (Family Assistance) Act 1999

1A At the end of subsection 35UA(1) (before the note)

Add:

; and (d) the individual's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1B At the end of subsection 35UA(2)

Add:

; and (g) the affected parent's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1C After subsection 35UA(2)

Insert:
(2A) For the purposes of paragraph (2)(g), the affected parent is the person:
(a) who is a parent of the other individual, being a parent within the meaning of paragraph (b) of the definition of parent in subsection 5(1) of the Social Security Act 1991; and
(b) who is nominated in writing by the Secretary.

1D At the end of subsection 35UA(3)
Add:
; and (h) the individual's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1E At the end of subsection 35UA(4)
Add:
; and (h) the other individual's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1F After subsection 35UA(4)
Insert:
(4AA) Paragraph (4)(h) does not apply if the instalment referred to in paragraph (4)(a) is an instalment of disability support pension and the other individual is permanently blind.

1G At the end of subsection 35UE(1)
Add:
; and (h) the individual's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1H At the end of subsection 35UE(2)
Add:
; and (g) the individual's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1J At the end of subsection 35UE(3)
Add:
; and (i) the individual's adjusted taxable income for the income year in which the bonus test day occurs is $100,000 or less.

1K After subsection 35UE(3)
Insert:
(3A) Paragraph (3)(i) does not apply if the instalment referred to in paragraph (3)(a) is an instalment of disability support pension and the individual is permanently blind.

1L Clause 1 of Schedule 3 (heading)
Repeal the heading, substitute:
1 Adjusted taxable income relevant to family tax benefit, schoolkids bonus and child care benefit

1M Clause 1 of Schedule 3
After "family tax benefit", insert ", schoolkids bonus".

A New Tax System (Family Assistance) (Administration) Act 1999

1N At the end of Division 2A of Part 3
Add:
35J Determination of eligibility may be based on estimate

If:

(a) an individual's eligibility under Division 1A of Part 3 of the Family Assistance Act for schoolkids bonus on a bonus test day is required to be determined; and

(b) information about the amount of adjusted taxable income needed for the determination of the eligibility is not available (for example, because the taxable income of the individual or another individual cannot be known until after the end of the relevant income year); and

(c) the individual gives the Secretary an estimate of the amount needed; and

(d) the Secretary considers the estimate to be reasonable;

the Secretary may determine the individual's eligibility on the basis of the estimate.

(12) Schedule 9, heading to Part 1, page 47 (line 2), omit the heading, substitute:

Part 1—Repeals

(13) Schedule 9, page 48 (after line 6), after item 12, insert:

12A Clause 1 of Schedule 3 (heading)

Repeal the heading, substitute:

1 Adjusted taxable income relevant to family tax benefit and child care benefit

12B Clause 1 of Schedule 3

Omit ", schoolkids bonus".

The question is that the amendments on sheet GT108, circulated by the government, be agreed to.

The Senate divided. [13:51]

(The President—Senator Parry)

Ayes ......................34
Noes ......................31
Majority ..................3

AYES

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

CHAMBER
Senator WONG (South Australia—Leader of the Opposition in the Senate) (13:54): I seek leave to make a statement of between five and 10 minutes.

The PRESIDENT: Leave is not granted.

Senator WONG: Pursuant to contingent notice of motion standing in my name, I move:

That so much of the standing orders be suspended as would prevent Senator Wong from making a statement.

On the suspension of standing orders motion, Mr President, I want to be very clear what we are debating here and what we are about to do. The Senate is about to vote on amendments we have not even debated. The Senate is about to vote on amendments we have not actually debated—in fact, no-one in the parliament has debated them—because these amendments are not even the same as the ones which were rammed through the lower house.

What has occurred is this: we have a deal that has been done in secret, behind closed doors, between the government, the Palmer United Party and other crossbench senators. Let me tell you what the crux of that deal is. To any Australians who may be listening, what has been traded off by the government is your superannuation. The government did not give anything. What the government did was put their hand in your pocket and took out your superannuation increases over the next seven years. That is what has occurred. This minister comes in here and says to the Senate: ‘You’ve got to pass this now.’ He talks about the importance of repealing the mining tax.

Let everybody be clear: the mining tax repeal bill was passed previously by this Senate. What the government did not like was the amendments that senators attached to it. That is
what the government did: they had already passed it but they did not like the amendments and so they brought it back. What have they done? They have now done a dirty deal, which means your superannuation will be frozen for seven years.

Senator Back: What's wrong with that?

Senator Wong: I will take the interjection from Senator Back, who is having a go at me. I am sure that all the workers from Western Australia will be most happy, Senator Back, that you want their wages to go down. You are telling them that you want their wages frozen. Go to the next election, Senator Back, and say: 'The Liberal Party stands for freezing your superannuation.'

Senator Ian Macdonald: I raise a point of order, Mr President. I understood this was a motion to suspend standing orders and I understand the purpose of the debate is to convince the Senate on why standing orders should be suspended. So far the speaker has not gone close to addressing that. I seek your advice, Mr President. It is clear that this is a breach of standing orders, and if the standing orders are not going to be pursued why don't we get rid of them?

Senator Moore: On the point of order, Mr President, it is clear that the Leader of the Opposition in this place is arguing that there needs to be a suspension of standing orders. She has put forward that this is an important issue; she has spoken about the necessity and the dire consequences of amendments which we had not seen. The Leader of the Opposition has identified that we have been asked to vote on a series of amendments that we have not seen. Not only have we not seen them, but the people in the community, who will be scrutinising what we have done in this place, have not seen them, either. It is not a false argument—

The President: Thank you, Senator Moore. You are debating the point of order. On the point of order, Senator Macdonald, you are correct: it is a motion in relation to the suspension of standing orders, but the practice has been over many years that the debate can be wide-ranging and can touch upon the reasons for the suspension. The Leader of the Opposition is in order and she has the call.

Senator Wong: I am very happy to go directly to the point. I always listen to Senator Macdonald—he is so interesting at the moment on these issues. I look forward to him telling Australians what he said in the party room when this deal was discussed there. I am assuming it did go to the party room; if it did not, I look forward to him explaining why it is that he can come in here and vote for this deal when he has not had the opportunity in his party room to put his view.

Very simply, the reason for the suspension of standing orders is this: it is to enable debate. It is the only way we can actually get debate on the amendments, because the government has put a guillotine in place, and this Senate is unable to continue to debate the amendments which were dropped on us just a few hours ago. They are not small amendments; they are not minor amendments; they are amendments which tell eight million Australians that they have been traded off. They have been traded off in order for Mr Hockey to get a win. I tell you what—he really needs one, doesn't he? Eight million workers are paying for Mr Hockey's incompetent display over recent weeks. Eight million workers are paying for the fact that this Treasurer has so incompetently sold the budget and told Australians such gems of wisdom as 'poor people don't drive cars.' That is what eight million Australians are paying for—this government and this Treasurer want a political win.
The PRESIDENT: Order! It being 2 pm, the debate is interrupted. Two o'clock is a hard marker in relation to the suspension of standing orders. The question is that the motion moved by Senator Wong, that standing orders be suspended, be agreed to.

The Senate divided. [14:04]

(The President—Senator Parry)

Ayes ...................... 33
Noes ...................... 36
Majority ............... 3

AYES

Bilyk, CL
Brown, CL
Bullock, J.W.
Carr, KJ
Conroy, SM
Di Natale, R
Faulkner, J
Gallacher, AM
Hanson-Young, SC
Ketter, CR
Lines, S
Ludlam, S
Ludwig, JW
Lundy, KA
Marshall, GM
McEwen, A (teller)
McLucas, J
Milne, C
Moore, CM
O’Neill, DM
Peris, N
Polley, H
Rhiannon, L
Rice, J
Siewert, R
Singh, LM
Sterle, G
Urquhart, AE
Waters, LJ
Whish-Wilson, PS
Wong, P
Wright, PL
Xenophon, N

NOES

Abetz, E
Back, CJ
Bernardi, C
Birmingham, SJ
Brandis, GH
Bushby, DC (teller)
Canavan, M.J.
Cash, MC
Colbeck, R
Cornmann, M
Day, R.J.
Edwards, S
Fawcett, DJ
Fierravanti-Wells, C
Fifield, MP
Heffernan, W
Lambie, J
Lazarus, GP
Leyonhjelm, DE
Macdonald, ID
McGrath, J
McKenzie, B
Muir, R
Nash, F
O’Sullivan, B
Parry, S
Payne, MA
Reynolds, L
Ronaldson, M
Ruston, A
Scullion, NG
Seselja, Z
Sinodinos, A
Smith, D
Wang, Z
Williams, JR

Question negatived.
The PRESIDENT (14:07): As I commenced prior to 2.00 pm the putting of questions pursuant to order earlier today, I will now put the remaining questions. The question before the chair is that schedules 6 to 9, as amended, be agreed to.

A division having been called—

Senator Moore: Mr President, under standing order 195 I ask that the question be read in full so we can understand exactly what we are voting on at this stage.

The PRESIDENT: I will ask the Clerk to read the question.

The question before the chair is that schedules 6 to 9, as amended, be agreed to.

The PRESIDENT: Order! Lock the doors. The question is that schedules 6 to 9, as amended, be agreed to. I have just been advised that the bells did not ring for one minute. Because Senator Moore took a point of order, the Clerk, rightly, did not ring the bells. I had assumed they had rung because the clock on the timer had run down. However, we will now ring them for one further minute, to make sure. The bells are ringing.

Senator Moore: Mr President, as we had not had the bells rung at all and people had left, I submit that we should have them rung for four minutes. There has been a gap, and senators are very easily confused. The situation should be clear.

The PRESIDENT: We will ring the bells for four minutes to make absolutely sure.

The bells being rung—

Senator XENOPHON (South Australia) (14:14): Mr President, I seek leave to make a 30-second statement.

The PRESIDENT: Leave is granted for 30 seconds.

Senator XENOPHON: In order to avoid unnecessary divisions, I would like to indicate that, whilst I support the amendments in respect of the low-income superannuation contribution, the income support bonus and the schoolkids bonus, I do not support the superannuation guarantee charge percentage changes and therefore I will be voting against the third reading of this bill.

The PRESIDENT: The question is that schedules 6 to 9, as amended, be agreed to.

The Senate divided. [14:14]

(The President—Senator Parry)

Ayes ...................... 36
Noes ...................... 33
 Majority ............... 3

AYES

Abetz, E
Bernardi, C
Brandis, GH
Canavan, M.J.
Colbeck, R
Day, R.J.
Fawcett, DJ
Fifield, MP
Lambie, J

Back, CJ
Birmingham, SJ
Bushby, DC (teller)
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Lazarus, GP
AYES

Leyonhjelm, DE
McGrath, J
Muir, R
O’Sullivan, B
Payne, MA
Ronaldson, M
Scullion, NG
Sinodinos, A
Wang, Z

Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Ruston, A
Seselja, Z
Smith, D
Williams, JR

NOES

Bilyk, CL
Bullock, J.W.
Conroy, SM
Faulkner, J
Hanson-Young, SC
Lines, S
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Peris, N
Rhiannon, L
Siewert, R
Sterle, G
Waters, LJ
Wong, P
Xenophon, N

Brown, CL
Carr, KJ
Di Natale, R
Gallacher, AM
Ketter, CR
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
O’Neill, DM
Polley, H
Rice, J
Singh, LM
Urquhart, AE
Whish-Wilson, PS
Wright, PL

Question agreed to.

Third Reading

The PRESIDENT (14:17): The question now is that the remaining stages of this bill be agreed to and the bill be now passed with amendments.

The Senate divided. [14:17]

Ayes ....................36
Noes .....................33
Majority ...............3

AYES

Abetz, E
Bernardi, C
Brandis, GH
Canavan, M.J.
Colbeck, R
Day, R.J.
Fawcett, DJ
Fifield, MP

Back, CJ
Birmingham, SJ
Bushby, DC (teller)
Cash, MC
Cormann, M
Edwards, S
Fieravanti-Wells, C
Heffernan, W
Question agreed to.
Bill read a third time.

MINISTERIAL STATEMENTS

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): by leave—I inform the Senate that Senator Johnston, the Minister for Defence, will be absent from the Senate until Thursday, 4 September 2014 in order to attend the 2014 NATO conference in Cardiff, Wales. For the purposes of question time, Senator Brandis will represent the Minister for Defence and Senator Scullion will represent the Minister for Infrastructure and Regional Development.

QUESTIONS WITHOUT NOTICE

Economy

Senator McEWEN (South Australia—Opposition Whip in the Senate) (14:20): My question is to the Minister for Employment, Senator Abetz. I refer to recent comments by junior minister Jamie Briggs, who said:
We cannot accept that on New Year’s Eve you can’t attend your favourite restaurant because it is impossible for that restaurant to pay its staff to open up … and that penalty rates are ‘an area we must reform’. Does the minister agree?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:21): I recall the words of the former tourism minister who also was a former President of the ACTU, one Martin Ferguson, who in his ministerial capacity whilst addressing a tourism conference in our capital city of Hobart said to the assembled throng that he understood that the key issue facing the sector was penalty rates. So there is no doubt that on both sides of the political divide there is concern about the impact of penalty rates.

Having said that, we have made it extremely clear that the Fair Work Commission is the right and appropriate body to determine wages and penalty rates. That has been our consistent position for a long time. It will remain our consistent position for a long time.

The fact that Mr Briggs should echo Mr Ferguson's comment should come as no surprise. If Senator McEwen wants to attack her fellow South Australian colleague, Minister Briggs, she was strangely silent when her former ministerial friend Mr Ferguson made exactly the same observation. You seem to be crying crocodile tears here, Senator, because you know that Mr Briggs has simply echoed that which a former Labor minister had indicated to the tourism sector. Let us be absolutely clear as a government that the Fair Work Commission will continue to set minimum wages and penalty rates.

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (14:23): Mr President, I ask a supplementary question. I refer to comments by South Australian Family First Senator Bob Day, who said that young people should be allowed to negotiate their own pay and conditions with employers. Does the minister agree with Senator Bob Day?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:23): Oh my goodness! Senator McEwen really is behind the times. I thought that was part of Senator Day's first question in this place, and I answered that at the time. It is there on the Hansard record for the honourable senator to read. I am sure that Senator Day will have more to say about these matters in his first speech, which I wish him all the best for, tomorrow evening at about five o’clock. Having said that, Mr President, at the time that the good Senator Day asked me a question about this, I indicated exactly the same response as I gave to Senator McEwen in relation to her substantive question, and that is: we hear what people are saying in the community, but the appropriate place for this to be ventilated and determined is the independent Fair Work Commission.

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (14:24): Mr President, I ask a further supplementary question. I refer the minister to the Commission of Audit recommendation that Australia’s minimum wage should be reduced to 44 per cent of average weekly earnings over the next decade, which would mean a cut for minimum wage workers in his home state of Tasmania of $225 a week. Does the minister support the recommendation?

**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): Once again,
this is traversing old history. I do not know where Senator McEwen has been for the past few months. In relation to the Commission of Audit, we indicated at that very time that this was a report to government, not from government, and we ruled that recommendation out immediately. I, in fact, issued a media release ruling it out. So why would Senator McEwen come in here deliberately peddling that which has already been ruled out? When the Labor Party are in strife, when the Labor Party is shown to have no policies in the important areas, what do they do? They break the glass and they reach for workplace relations policies. You have tried for the last four years and you have failed. You will continue to fail.

Mining

Senator EDWARDS (South Australia) (14:25): My question is to the Minister for Finance, Senator Cormann, representing the Treasurer. Can the minister advise the Senate how the repeal of the mining tax will help build a stronger economy and repair the budget?

Senator CORMANN (Western Australia—Minister for Finance) (14:26): The Senate today voted to help build a stronger economy, a more prosperous economy and to create more jobs. This is a good day for Australia because the ill-thought out mining tax, introduced through a bad process by the previous government, was always a bad tax. It was a tax that inappropriately targeted an important industry for Australia—the mining industry.

A strong mining industry is important for Australia because it will help us be the strongest economy that we can be. It will help us to continue to attract additional investment and generate additional jobs. The mining tax was not only a policy failure because it was complex, distorting, inefficient, costly to comply with and costly to administer; it was also a tax that did not raise any revenue. It was a tax that we were told would raise $4 billion in year 1, but the $200 million it raised is progressively being repaid. We are already behind. We are behind when it comes to the money that the mining tax has raised—after administration costs there is nothing left. The previous government attached to this tax all sorts of unfunded spending promises and unfunded budget measures with an increasing cost over time.

Today the Senate, by voting to repeal the mining tax as amended by the Senate, has helped us to build a stronger economy and create more jobs, and it has also helped to repair the budget mess that the previous Labor government left behind. Not only did the previous Labor government come up with a tax that did not raise any revenue—like the pub without beer, we have the mining tax without money—this is also the government that, before it had raised a single dime, had already spent it all and more. Today what the Senate has done is to ensure that we can put the budget on a more sustainable footing for the future. The agreement that was reached and the consensus that was reached with the majority of senators is good news for Australia. (Time expired)

Senator EDWARDS (South Australia) (14:28): Mr President, I ask a further supplementary question. Can the minister inform the Senate of the impact of the repeal of the mining tax and what impact it will have on the budget bottom line?

Senator CORMANN (Western Australia—Minister for Finance) (14:28): Getting rid of the mining tax will help us build a stronger economy and create more jobs, which will generate more revenue for government over time. As well as creating more opportunities for people across Australia to get a job, it will also deliver more revenue for government over
time because more profitable companies will deliver more company tax revenue for government.

Today the Senate voted to improve our budget bottom line over the current forward estimates by just over $10 billion—that is $6.5 billion less over the forward estimates than we would have liked, but the Senate also agreed to some further changes. Delaying the future increases in compulsory super will help us recoup that increased cost over the current forward estimates in a 5½-year period beyond the forward estimates. That means that by the end of 2023 this budget—(Time expired)

Senator EDWARDS (South Australia) (14:29): Mr President, I ask a further supplementary question. Can the minister advise if the government is aware of any alternative policies on the mining tax and related matters?

Senator CORMANN (Western Australia—Minister for Finance) (14:30): The government is not actually aware of any policy from the alternative government. The Leader of the Opposition went into Western Australia—nudge, nudge, wink, wink—suggesting that the Labor Party these days does not really support the mining tax that was introduced by former Treasurer Swan, but in this chamber again today the Labor Party kept voting to keep the mining tax in place.

In the lead-up to the next election the Labor Party will have some decisions to make. Will they campaign in the lead-up to the next election to reintroduce the mining tax: yes or no? Will they campaign to reinstate or to continue the various measures that we have extended till 31 December 2016 and till 30 June 2017? Will the Labor Party campaign in the lead-up to the next election to continue those measures in place, as they have indicated in the chamber today? If so, where is the money coming from, because we are still dealing with $123 billion in projected deficits that Labor left behind when they lost government and we are still dealing with a trajectory taking us to $667 billion of debt? Show us where the money is coming from. (Time expired)

Employment

Senator CAMERON (New South Wales) (14:31): My question is to the Minister for Employment, Senator Abetz. Has the government established new rules that will enable employers to hire foreign workers on salaries of up to 10 per cent below standard rates?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:31): No.

Senator CAMERON (New South Wales) (14:31): That is the shortest answer I have ever heard Senator Abetz give. My first supplementary question, Mr President, is: given that the government has already cut $2 billion from training and apprenticeship programs, would the introduction of overseas workers on wages below standard rates simply make it more difficult for Australians to get a job?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:32): This is the tragedy of a senator who cannot think through the answer that he is provided. I gave a quite unequivocal answer—and I do not know what he did not understand about the two letters of the one word 'no'—and he then based his supplementary question on the suggestion that I said
yes to his question. The answer was no, so as a result his supplementary question has absolutely and utterly no standing.

Senator Kim Carr: We just don’t believe you.

Senator ABETZ: Whilst we are talking about jobs, I hear the interjection of the former failed industry minister, who has 140,000 lost manufacturing jobs around his neck. That is his legacy of six years as industry minister—the loss of 140,000 jobs in the manufacturing sector. Of course, Senator Cameron, whilst he was in the AMWU had a similar success story. (Time expired)

Senator CAMERON (New South Wales) (14:33): Mr President, I ask a further supplementary question. It is obvious that the minister did not listen to the question. Would the introduction of overseas workers on reduced salaries reduce opportunities for young workers, who are already suffering under the youth unemployment rate of 14.1 per cent? It does not matter whether or not you have said no, I am asking the question: if it is introduced will it result in problems for unemployed young Australians?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:33): Let me be absolutely clear. No worker can come to Australia and work for less than the minimum required by law. That is the situation. If Senator Cameron is aware of any such example, I invite him to report that to the Fair Work Ombudsman, who will ensure that the matter is then pursued and, if need be, prosecuted and, most importantly, that the workers' entitlements are in fact paid to them. So once again we have the Australian Labor Party going to an issue with an egg beater trying to whip up something that in fact is not there. Whilst it might look all fluffy at the moment, Senator Cameron, in a very short period of time all that fluff will collapse into absolutely nothing, which is the state of your policy position.

Russia

Senator LUDLAM (Western Australia) (14:34): My question is to the Minister representing the Prime Minister, Senator Abetz. I refer to increasing tensions and armed aggression by the government of Russia in Eastern Ukraine and particularly draw the minister’s attention to the recent comment by Russian President Vladimir Putin, 'I want to remind you that Russia is one of the leading nuclear powers.' I ask in the light of this implied threat of nuclear escalation will the government immediately suspend Australian uranium exports to Russia and, if not, why not?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:35): I do not have anything in my briefs in relation to this matter.

Senator Cameron: In your briefs?

Senator ABETZ: In the parliamentary briefs, just in case you have any concerns about that, Senator Cameron.

Senator Cameron: That was a horrible thought!

Senator ABETZ: I accept that interjection from Senator Cameron. I say to Senator Ludlam that I will take that question on notice. It is a sensitive issue. I will ensure that the
answer that is provided is in the appropriate form in all the very sensitive circumstances surrounding the statement and the actual circumstances that the world confronts in Ukraine.

Senator LUDLAM (Western Australia) (14:36): Mr President, I ask a supplementary question. Senator Abetz, you may choose to take this on notice as well. I thank you for your answer. After you have received a brief from Senator Brandis, you might like to inform the chamber why uranium exports were excluded from the last round of sanctions applied by the Abbott government, noting Foreign Minister Bishop's comments in the press in the last couple of days.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:36): As senators may have observed and as some of my colleagues have assisted me in indicating, in fact we do not have any contracts as we speak for the supply of uranium to Russia. But if there is further information or more clarifying information that is required to be brought to the chamber, I will attend to that.

Senator LUDLAM (Western Australia) (14:37): Mr President, I ask a further supplementary question. It is not often you actually learn something in question time, but today is obviously one of those days. Will he give an undertaking to the Senate in light of the information provided that there are no live contracts currently afoot that uranium exports will not be permitted from Australia should such a proposal come forward until at least the situation in the eastern Ukraine has been de-escalated?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:37): If I might suggest to the honourable senator, that is a hypothetical question. But out of an abundance of caution I will also take that question on notice.

**National Security**

Senator BACK (Western Australia) (14:38): My question is to the Attorney-General, Senator Brandis, representing the Minister for Defence. Will the Attorney-General outline to the Senate the government's commitment to maintaining our national security for a safe and secure Australia?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:38): Thank you, Senator Back. Australia is working with our international partners to keep Australians safe and to protect and advance our interests at home and abroad. The escalating terror situation in Iraq and Syria poses an increasing threat unlike any this country has experienced in recent times to the security of the strains both here and overseas.

This week the Minister for Foreign Affairs and the Minister for Defence are travelling to Wales to attend the 2014 and NATO summit on 4 and 5 September. This important meeting will be attended by 60 world leaders, 70 foreign ministers, 70 defence ministers and 28 NATO member countries. The foreign and defence ministers' attendance at this important international summit demonstrates Australia's commitment to our own national security, to the international community's security, and to the continued development and growth of our international partnerships. The summit and the defence minister's meetings will focus on Iraq;
Afghanistan, including the post-2014 true commitment; Russia's military aggression towards Ukraine; and NATO's plans to strengthen its relationship with defence partners.

Senator BACK (Western Australia) (14:39): Mr President, I ask a supplementary question. Can the Attorney-General advise the Senate why it is important that Australia participates in these international summits, such as NATO, at a time such as we are facing?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:40): Senator Back, at a time of multiple sources of international tension, such as in the Ukraine and in the Middle East, a meeting of the scale and significance of the Wales NATO summit provides a unique opportunity for Australia to interact with our key partners. These include President Barack Obama, Secretary Kerry, Secretary Hagel, Prime Minister Cameron, Secretary Hammond and Secretary Fallon from the United Kingdom; along with the responsible ministers from all the other countries conducting military airlifts in Iraq. In addition to the foreign and defence ministers' attendance at the summit, Minister Johnston has also been invited to attend two other meetings to discuss future partnership arrangements between Australia and NATO.

Senator BACK (Western Australia) (14:40): Mr President, I ask a further supplementary question. Will the Attorney-General advise the Senate of other measures the government is taking to ensure that Australians, both at home and overseas, are protected from the growing threat posed by terrorist organisations like ISIL?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:41): As the Senate has previously been advised, around 60 Australians have been fighting with terrorist groups in Syria and Iraq, while a further 100 Australians are known to be funding or facilitating those groups. That is why we are updating our national security legislation and committing an extra $630 million over four years to counter-terrorism measures, including more funding of our intelligence and law enforcement agencies, and strengthening our community engagement programs to prevent young Australians from becoming involved with extremist groups. As emphasised by the Prime Minister, these measures are targeted at terrorists and potential terrorists, not at any specific community or religion, and are designed to deliver a safe and secure Australia.

Budget

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:42): My question is to the Minister representing the Minister for Social Services, Senator Fifield. There were reports today that the government is considering reducing the waiting time for the young job seekers to access income support on the earn-and-learn measures—suggesting that they are reducing it to one month rather than six months. Is this correct? What period of time is the government considering, if they are considering reducing the amount of time? Has the government got the Palmer United Party's agreement to these changes?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:42): I thank Senator Siewert for her question. As colleagues would be well aware, in the budget we had a number of measures which were announced in an effort to help Australians who are unemployed, particularly young
unemployed Australians, into work. We are, as with all budget measures, endeavouring to secure their passage through the parliament. I understand that obviously there will be speculation from time to time about particular budget measures, but all I can say to you, Senator Siewert, is that we are working to secure the passage of our budget measures through the parliament.

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:43): Mr President, I ask a supplementary question. Does that mean that the government is not considering reducing the cruel and harsh six-month waiting period in which people will have no income support? Does that mean the government is not at all considering reducing that waiting period?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:44): All I can really do is restate to colleagues what the budget measures were. Namely, from 1 January 2015 young unemployed people aged 22 to 24 will no longer be eligible for Newstart or sickness allowance. Instead, they will be eligible for youth allowance (student) or youth allowance (other) until they turn 25 years of age. Also from 1 January 2015 all new job seekers up to 30 years of age claiming Newstart and youth allowance (other) will be subject to a six-month waiting period during which time the job seeker must demonstrate appropriate job search activities and must participate in employment support services. After the six-month waiting period, job seekers would be eligible to receive income support for six months subject to participation in 25 hours per week of Work for the Dole. Job seekers will receive income support for six months in every 12-month period. That is what was announced at the budget and that is our policy.

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:44): Mr President, I ask a further supplementary question. What evidence does the government have that putting people on no income support for any period of time, let alone six months, supports them into work, particularly given that the government has oft cited New Zealand evidence and New Zealand experts are saying, 'Don't copy us'?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:45): I think it is important, in the context of Senator Siewert's question, to point out that there are a number of exceptions to what the government has announced: if an individual has a partial capacity to work less than 30 hours per week, if they are in full—

Senator Siewert: Mr President, I rise on a point of order. I specifically asked not for a repeat of the measures—because I have read them—but for what evidence the government has that this works.

The PRESIDENT: Thank you, Senator Siewert. The minister still has over half of his time to answer the question. I remind the minister of the question.

Senator FIFIELD: Thank you, Mr President. I was just going to mention a few other things, such as exemptions applying if someone is an apprentice or in full-time education. I think they are important exemptions for people to be aware of. But I can assure Senator Siewert and all colleagues that every policy that we have announced, particularly our budget measures, is focused around doing what we can to help create an environment that is conducive to and supportive—
Senator Siewert: Mr President, on a point of order, I know that you gave Minister Fifield latitude, but when I stood up he had 20 seconds left. Not once has he referred to the question I asked, which was about the evidence.

The President: Thank you, Senator Siewert. I remind the minister that he has 17 seconds to answer the question.

Senator FIFIELD: Thank you, Mr President. As I was saying, every decision that we take is based on the understanding that the measures that we put forward will assist people into work. Why would we put forward a measure if we— (Time expired)

Royal Commission into Institutional Responses to Child Sexual Abuse

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:47): My question is to the Attorney-General, Senator Brandis. Can the Attorney-General inform the Senate of the decision of the government in relation to the future of the Royal Commission into Institutional Responses to Child Sexual Abuse?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:47): Thank you, Senator Ruston, for that important question. I can advise the honourable senator that the government has decided to recommend to His Excellency the Governor-General that the current letters patent for the Royal Commission into Institutional Responses to Child Sexual Abuse be amended so as to extend the reporting date of the royal commission to 15 December 2017. That is an extension of the current reporting date by two years. I am assured by the chairman of the royal commission, Justice McClellan, that this will be sufficient to enable the royal commission to complete its work.

The extension of the royal commission will be at a cost of $125.8 million. That is in addition to the $377 million currently budgeted for, bringing the Commonwealth's total commitment to slightly above $500 million. Although this is a very significant amount of money, it is the view of the government, given the importance of the royal commission's work, that this outlay is justified. I am aware of a media—

Senator Cameron: You've taken that money off pensioners anyway.

Senator BRANDIS: I thought you might take this topic more seriously, Senator Cameron. I am aware of a media report recently that suggested that there was some doubt about the government's commitment to extending the royal commission. That report was completely inaccurate. I can tell honourable senators that I have met with Justice McClellan on two occasions since the beginning of this year, most recently on 3 July, and was able to reassure him that the government would look favourably upon his request to extend the sitting dates. Justice McClellan asked that that decision be made by the beginning of September. I was able to telephone him last night to confirm that the decision had been made.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:49): Mr President, I ask a supplementary question. Can the Attorney-General advise the Senate why it is important for the royal commission to continue its work?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:49): Because, Senator Ruston, the royal commission's work is of the utmost public importance. For decades, the victims of many heinous offences were silenced, their pain was minimised and
the harm to them went unacknowledged. We now know much more about child sexual abuse than before the commission started its work. We can more easily identify cultural and systemic norms and practices which enabled the perpetuation of these most vile crimes. We know that victims have been harmed not only by the direct experience of abuse but also by institutional indifference and, too often, rejection of their stories. But there is more to be learned. There is more that needs to be learned, which is why the government has decided to accede to Justice McClellan's request.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:50): Mr President, I ask a further supplementary question. Can the Attorney-General inform the Senate how the government's decision will enable the commission to complete its task of investigating institutional responses to child abuse?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:50): Senator Ruston, the extension will give the commission the capacity to hear more stories from victims, conduct more public hearings and issue additional interim reports. Because of the extension, we expect that there will be an additional 30 public hearings, bringing the total number to 70. There will be the opportunity for an additional 3,000 private sessions, bringing the total number to 7,000. Effective use of 52 research projects, to be completed by December 2015, will be able to inform critical recommendations and, as well, the commission will have the ability to revisit institutions mentioned in earlier case studies to scrutinise changes carried out since the initial examination. All of this will build a much fuller and more complete picture of the scourge of institutional child abuse, but, most importantly, it will give those who need to tell their stories the opportunity to do so.

Constitution

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (14:51): My question is for the Attorney-General, Senator Brandis. I refer the Attorney-General to section 44(i) of the Constitution, as shown on page 6 of the Senate pocket procedures guide, which indicates that, if at the time of nomination a Senate candidate formally or informally acknowledges allegiance, obedience or adherence to a foreign power and fails to revoke that allegiance, their nomination can be disqualified. Does the Attorney-General agree that, in order to ensure that people elected to this parliament are not disqualified, they give an undertaking to oppose sharia law?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:52): Senator Lambie, I am familiar with the provisions of the Constitution. I am familiar with the provisions of section 44. Section 44, as it has been interpreted by the High Court and explained on a number of occasions, is in relation to allegiance to a nation-state. It does not speak about adhesion to a particular religious belief. The issue of sharia law, I know, is an issue that has exercised and concerned a number of people. There have been many things said about it. But, on the basis of the authorities in the High Court, I do not believe that the issue of adherence to religious customs or practices has anything to do with adhesion or allegiance to a foreign state.

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (14:51): Mr President, I ask a supplementary question. Does the
Attorney-General agree that support of the extremist sharia law could indicate formal or informal acknowledgement of allegiance, obedience or adherence to a foreign power or country other than Australia?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:53): The government and, I am sure, all senators, condemn extremism in all its forms. We condemn extremism in the name of any particular faith or cause or doctrine. One of the reasons the government has moved swiftly to reform the laws that protect Australians from terrorism is that we are determined to ensure that our laws are sufficient and fit for purpose to deal with extremism. Now, Senator Lambie, as I am sure you are aware, there is a variety of different interpretations of sharia law. There is a variety of interpretations, from what might be regarded as extreme to what would not be regarded as extreme. I would not say, Senator Lambie, that section 44 of the Constitution bears on that issue.

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (14:54): Mr President, I ask a further supplementary question. Given that support for sharia law could disqualify a candidate from running for the Senate and could indicate formal or informal acknowledgement, allegiance, obedience or adherence to a foreign power, can the Attorney-General detail to the Senate reasons why Australia should accept sharia law supporters and proponents as citizens who have the right to vote.

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:55): Senator Lambie, with all due respect, the premise of your question is based on a proposition that I have just told you is wrong. The issue of adherence to sharia and the issue of citizenship, or adherence or allegiance with a foreign power, are different issues—at least, that is the way the High Court would see it. As I say, Senator, and I am sure you share my view about this, the government condemns extremism in all its forms. If that extremism is practiced or proselytised in the name of any orthodoxy or religion or form of law, we condemn it unconditionally. Any Australian citizen who engages in that form of activity breaches Australian law.

Deregulation

Senator STERLE (Western Australia) (14:56): My question is to the Minister representing the Minister for Agriculture, Senator Abetz. I refer to the upcoming expiry on 30 September of the two-year agreement governing port access for bulk wheat exports. I also refer to comments by Liberal Senator Dean Smith that the full deregulation of Australia's wheat export arrangement is perfectly aligned to the government's deregulation and red-tape reduction agenda. Minister, is full deregulation government policy?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:57): I think everybody knows that the government's position on all these matters is to provide a practical, common sense approach. Whilst we on this side generally like to approach issues on the basis of having as little red or green tape or regulation around an issue, we fully understand that there is a need for regulation. Therefore, the issue is getting the balance right. That is what the government has sought to do in a whole range of areas, including the one that the honourable
senator addresses. And that is what we will continue to do in all our policy endeavours as we try to ensure that the very best outcome is achieved for Australian producers—in this case, wheat—and in other areas, as well. We will seek to draw the proper balance between competing interests and the different concerns that are expressed. Senator Smith has quite rightly expressed a particular approach. But the government's approach is as currently stated and as is currently in place.

Senator STERLE (Western Australia) (14:58): Mr President, I ask a supplementary question. I refer to comments by Liberal member Angus Taylor, who said:

We need appropriate regulation of monopoly or near-monopoly uncompetitive port zones as we currently have in NSW.

Minister, is full regulation government policy?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:58): The member for Hume has expressed a particular point of view. We on this side do allow our members to actually express a point of view—to advocate, to ventilate particular approaches that they believe are worthy of public consideration.

Senator Kim Carr interjecting—

The PRESIDENT: Order on my left!

Senator ABETZ: Because one person has expressed such a view does not mean that it is government policy. Government policy is government policy, and it stands to reason that from time to time there will be colleagues expressing a particular point of view. We saw it in the Labor Party in relation to getting rid of the mining tax. I recall the good former senator Mark Bishop expressing very strong views in relation to that.

Senator Moore: I rise on a point of order. While the minister has been giving very worthwhile information, the question was: is full regulation government policy? We would like to have that confirmed, or not, on the record.

The PRESIDENT: The minister has been directly relevant in relation to the question asked and the preamble.

Senator ABETZ: The government's policy is clear, and it is quite appropriate for individuals to express particular views. The member for Hume has done so.

Senator STERLE (Western Australia) (15:00): I have a further supplementary question. When will the government resolve the brawl inside its party room and provide policy certainty for the wheat industry?

The PRESIDENT: The minister can answer any portion of that question that he wishes to answer.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:00): I was wondering where this silly line of questioning was going to end. It really did reach a crescendo of silliness with the senator's assertion that there is any disunity in the coalition party room on these matters. So it is my melancholy duty to advise the senator that there is no such disunity!
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Education

Senator SESELJA (Australian Capital Territory) (15:01): My question is to the Minister for Human Services, Senator Payne, representing the Minister for Education. Can the minister advise the Senate of recent commentary on the need to pass the government's Higher Education and Research Reform Amendment Bill?

Senator PAYNE (New South Wales—Minister for Human Services) (15:01): I particularly thank the senator for his question today, because it has been fascinating. Since the introduction by Minister Pyne of the Higher Education and Research Reform Amendment Bill in the other place last week we have had higher education leaders around the country calling on parliament to pass the bill, and specifying amendments. But today's media reports are particularly interesting. That is because the first paragraph of the article in The Australian begins, 'The architect of the former Labor government's education reforms…' The side bar is headed, 'Gonski backs Libs on uni fees.'

And we know that those opposite regard what Mr Gonski says with regard to education as holy writ. So one imagines that as the Chancellor of the University of New South Wales—and exceptional university, I might add—and one of the nation's most respected businessmen is now backing 'the government's plan to deregulate higher education fees, claiming it will free up universities even greater,' it would be welcomed by those opposite.

Mr Gonski said that it would improve the student experience and there would be better teacher-student ratios et cetera. Those would be real benefits for students but, of course, those opposite will continue to ignore that.

I think I mentioned yesterday that Universities Australia, the overall peak body, has simply said, 'Approve the higher education package with amendments.' The Innovative Research Universities' members, including Murdoch University and Griffith University headed their statement with, 'Support higher education legislation with amendments'. They said:

IRU members support the direction of the legislation, which will provide a viable basis for universities over the next decade.

The Australian Technology Network universities, including universities like Curtin University and QUT said:

… passage through the Senate is crucial to protect the international reputation for quality higher education, representing around $15 Billion in export earnings …(Time expired)

Senator SESELJA (Australian Capital Territory) (15:03): I have a supplementary question. Can the minister inform the Senate of what university leaders have said would be the consequences if the government's higher education reforms fail to pass.

Senator PAYNE (New South Wales—Minister for Human Services) (15:04): I would like to go back to Mr Gonski but in deference to Senator Seselja I will pursue those issues. The chair of Universities Australia, Professor Sandra Harding, the Vice-Chancellor of James Cook University, has said that the status quo is not an option. The Universities Australia statement said, further:

Either the status quo of ongoing inadequate investment, or further cuts without deregulation will condemn Australia's great university system to inevitable decline, threaten our international reputation and make it increasingly difficult for universities to meet the quality expectations of our students.

As the University of Western Australia said:
The status quo is not feasible as it will over time erode the quality of our education and research activities—not a good position to be in when our nearest Asian competitors are investing so heavily in these areas.

Senator SESELJA (Australian Capital Territory) (15:04): I have a further supplementary question. Can the minister apprise the Senate of any alternative approaches to university reform.

Senator PAYNE (New South Wales—Minister for Human Services) (15:05): I would like to be able to advise of alternatives but unfortunately it is a bit of a blank sheet, because all we have offered by those opposite is cuts—no plan and no reforms. That is the alternative to the government's package: cuts without positive reform. The previous government cut higher education research spending in this country by over $6.6 billion. And at the same time they did not provide universities with the opportunity—

Senator Kim Carr: That's rubbish.

Senator PAYNE: Come in spinner! They did not provide universities with the opportunity to offer diploma and other sub-bachelor places that they wanted to offer. They did not give them the freedom to set their own fees. They left organisations like the National Collaborative Research Infrastructure Strategy and the Future Fellowships on a funding cliff. They know they did. The quality indicators for learning and teaching that university leaders recommended, and that would provide students with the information they needed—they did not provide that, either. All of these depend on this reform bill

Superannuation

Senator BULLOCK (Western Australia) (15:06): My question is to the Minister representing the Treasurer, Senator Cormann. I refer to the Prime Minister's pre-election promise last year that, 'There'll be no unexpected adverse changes to people's superannuation.' Does the government stand by the Prime Minister's pre-election promise?

Senator CORMANN (Western Australia—Minister for Finance) (15:06): We absolutely do. Sadly, Senator Bullock obviously did not listen to what I had to say in the chamber during the debate, because what the Senate did today was not an adverse change to superannuation, at all. What I would advise Senator Bullock to do is to read very carefully the statements that were made by the now Leader of the Opposition Mr Shorten, when he was the Minister for Financial Services and Superannuation. The point that Mr Shorten made then, and that I agree with today, is that increases in compulsory superannuation come out of people's wages. The Senate has voted today to ensure that we allow people to keep more of their own wages today so that they can decide how to deploy those wages. Guess what? People are free to decide whether they want to invest that money in paying off their mortgage faster or invest that money by saving it in superannuation, attracting the concessional tax treatment up to the concessional contribution limit. What the Senate did today was empower workers across the country to make their own decisions.

We absolutely stand by the commitment we made in the lead-up to the election not to make any unexpected adverse changes to superannuation. The change the Senate has passed today is a good change for working families across Australia. It will help them pay off their mortgages faster. It will help them with their cost-of-living pressures today. It will help them put more money into superannuation voluntarily in the form of tax advantageous savings, if
they so choose. But, importantly, what we did today is help build a stronger, more prosperous economy which will help to create more opportunities for more Australians to work, get better wages and get better superannuation. Over time, we will still get to the 12 per cent, as previously legislated.

Senator BULLOCK (Western Australia) (15:08): Mr President, I ask a supplementary question. I, too, refer to the changes to the superannuation guarantee which the government have rammed through the parliament today and ask: won't these changes freeze the superannuation guarantee for seven years, and isn't this an adverse change to people's superannuation?

Senator CORMANN (Western Australia—Minister for Finance) (15:09): Firstly, the short answer is no. I note that the Labor Party has never been good at maths. I thought that Senator Bullock from the great state of Western Australia, knowing his reputation in the Western Australian Labor Party, was better at maths than that. What the Senate has agreed to today is to delay further increases in compulsory super by six years, not seven. I know that the Labor Party is not strong when it comes to adding up the numbers.

A point I would also make is that it is not an adverse change. This is a change that leaves working families with more money in their pockets pre retirement. None other than the opposition leader, Bill Shorten, said that the money for increases in compulsory super comes out of people's wages. It comes out of people's wages, and people will be free to make their own judgement as to whether they want to put that money into superannuation or use it to pay off their mortgage.

Senator BULLOCK (Western Australia) (15:10): Mr President, before going to my further supplementary question, I want to rebut the adverse reflection on my mathematical capacity by saying that—

The PRESIDENT: Come to the question, Senator Bullock.

Senator BULLOCK: If superannuation increases do not move from July 2014 until July 2021, isn't that seven years? And, referring to the delay in the superannuation guarantee and the increase in the pension age to 70, is there anything this government will not do to undermine the financial security of Australians?

Senator CORMANN (Western Australia—Minister for Finance) (15:10): Firstly, the next increase in compulsory super was due in 2015-16. That was on 1 July 2015. I do not expect whoever wrote that question for Senator Bullock to understand that, but the next increase was due on 1 July 2015 for the 2015-16 financial year. Instead of that, the increase will now take place on 1 July 2021. Now, 21 minus 15 equals six. That is the coalition's mathematics—21 minus 15 equals six. In the Labor Party, particularly in the faction that Senator Bullock runs in Western Australia, maybe 21 minus 15 equals seven. But, on this side of the chamber, we think it is six.

The answer to the other part of the question is an absolute resounding no. We are focused on building a stronger, more prosperous economy where we can provide better opportunities for all Australians, including and in particular making sure that the— (Time expired)

Australian Public Service

Senator SMITH (Western Australia) (15:11): My question is to the Minister Assisting the Prime Minister for the Public Service, Senator Abetz. Can the minister provide the Senate
with an update on enterprise bargaining in the Australian Public Service? And is the minister aware of any misleading claims about the process?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:12): I thank Senator Smith for the question. Enterprise bargaining in the Australian Public Service is progressing at an agency level, as required by the Australian government public sector workplace bargaining policy. So far, 65 agencies, covering about 76 per cent of the workforce, have commenced enterprise bargaining.

In relation to misleading claims, I can regretfully inform Senator Smith and the Senate that the Community and Public Sector Union has been falsely claiming that the government is stripping public servants' rights and conditions. This is incorrect. The government's bargaining policy simply aims for less complex enterprise agreements that do not repeat rights, conditions and responsibilities already provided for in legislation or elsewhere. Entitlements conferred by law, such as in the Fair Work Act or workplace health and safety legislation, apply to employees regardless of whether they are uselessly repeated in an enterprise agreement.

For example, the CPSU claims that the government wants to cut public servants' super when the contribution rate is actually set by the trustee, a legislative instrument subject to parliamentary scrutiny. Duplicative content recently inserted into enterprise agreements pretending to fix a certain superannuation contribution rate cannot legally constrain the rate contained in Public Service superannuation law, yet the CPSU continues to deliberately misrepresent the reality and ignore the government's stated position that the rate will not change. This is just scaremongering by the CPSU and, what is more, public servants know it.

Senator SMITH (Western Australia) (15:14): Mr President, I ask a supplementary question. Can the minister advise the Senate whether the government has any further advice for the Community and Public Sector Union?

Senator Lines interjecting—

The PRESIDENT: Order on my left!

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:14): Yes I do, Senator Smith. The CPSU’s grandstanding recently prevented the human services department offering employees pay rises from a pool of funds that is now no longer available. The CPSU should cease its scaremongering and posturing and instead help its members negotiate what small productivity backed increases are possible, given the mess left by the former Labor government. It should abandon its unaffordable four per cent per annum or 12 per cent pay claim, which will cost at least 10,000 jobs and which will be most severe in cash-strapped agencies like the Australian Crime Commission, which is having difficulty offering any increases without cutting jobs. The CPSU should also remind its members that, over the last decade, median public service wage rises outstripped CPI increases by 14 per cent.

Senator SMITH (Western Australia) (15:15): Mr President, I ask a further supplementary question. Can the minister advise the Senate whether he intends meeting with the CPSU to discuss its concerns about bargaining?
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:15): Last November, I addressed the CPSU national governing council and indicated that I was always willing to engage in constructive dialogue with union representatives and would look forward to the use of telephones, email and meetings, rather than megaphones. Sadly, this has not occurred. Recently the CPSU sought a meeting with me to discuss their concerns with bargaining—largely, the government's supposed stripping of rights such as superannuation. While my door will always be open to stakeholders with genuine concerns, I am reluctant to acquiesce to a stunt meeting designed to further spurious claims about the government's bargaining policy; and also because, as the CPSU has previously been told, I am not the Commonwealth's bargaining agent. I say once again to the CPSU: stop standing between your members, their jobs and sustainable wage increases.

Employment

Senator CAROL BROWN (Tasmania) (15:17): My question is to the Minister for Employment, Senator Abetz. I refer to the minister's statement in July: 'What we're asking most of the job seekers to do is to seek a job of a morning and of an afternoon and I think that is a reasonable request.' I also refer to his statement last week that 'getting people to apply for 40 jobs in a meaningless way will achieve no purpose and, what's more, be a real burden to small businesses especially in regional areas.' Which statement does the minister stand by?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:17): Both.

Senator CAROL BROWN (Tasmania) (15:17): Mr President, I ask a supplementary question and I note that again the minister is conflicted in his statement. Is the minister aware that, while there are more than 19,500 people looking for work in Tasmania, the most recent internet vacancy index shows only 1,751 newly lodged job vacancies have been advertised? How are job seekers supposed to find 40 appropriate jobs to apply for each month?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:18): It might come as a surprise to this so-called champion of the workers sitting on the other side that the vast majority of jobs are filled in Australia without there being an actual job advertisement that is publicly identifiable. That is the reality and indeed the job service providers only deal with about 10 per cent or, indeed, less than 10 per cent—

Opposition senators interjecting—

Senator ABETZ: I do not know if those opposite are interested in hearing the facts, but the fact is that job service providers only place about 10 per cent into jobs. The vast majority of Australians find their own job through a whole range of other mechanisms. I would have thought Senator Brown would have been aware of that, but sadly she is not.

Senator CAROL BROWN (Tasmania) (15:19): Mr President, I have a further supplementary question. I refer to comments made by Reserve Bank board member Heather Ridout, who declared the government's plan to keep young job seekers off Newstart allowance for six months to be 'ideological and far too harsh'. Is Ms Ridout right?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:19): Ms Ridout,
like all Australians, is entitled to her point of view. With respect to her, I disagree with her assessment of what we announced in recent times. I can simply say that, for those who are unemployed, their full-time job should be to seek a job. I think we should, and could, all be agreed in relation to that. That is a very important aspect that I think most Australians would agree with. In relation to our policies of seeking—

Senator Carol Brown interjecting—

The PRESIDENT: Order! Senator Brown, you have asked the question.

Senator Carol Brown: He is not answering it!

The PRESIDENT: Senator Brown, you have asked the question. Stop interjecting.

Senator ABETZ: Do we want every possible Australian in a job? Of course we do. That is why we are trying to fix the economy and that is why I am so delighted that we have finally got rid of the carbon tax, and now the mining tax, which will see jobs growth continue in this country.

I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Russia

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:20): I have further information for Senator Ludlam. Senator Ludlam asked me some questions today relating to Australia's exports of uranium to the Russian Federation. I can inform the Senate that Australia is not currently exporting any uranium to Russia; I indicated that in my answer before. But I can also advise the Senate that under the current circumstances the government has no intention of approving any uranium exports to the Russian Federation.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Economy

Employment

Deregulation

Australian Public Service

Senator CAMERON (New South Wales) (15:21): I move:

That the Senate take note of the answers given by the Minister for Employment (Senator Abetz) to questions without notice asked by Opposition senators today.

Here we are, one-third of the way through the term of this government. One year into this government and what the Australian public know is that this is an unfair, incompetent and arrogant government—unfair in almost everything it does. What Senator Abetz has outlined today is that same unfairness. Whether it is workers seeking to bargain with their employers or the unemployed trying to get a fair go in this country, this government is unfair. It is an incompetent government, because this is a government that went to the Australia public saying it would not do deals. And yet we see deals being done with the Palmer United Party that will be a pyrrhic victory for this government. And it will be a pyrrhic victory for the Palmer United Party as well, because if you want to hammer the conditions and the rights of
Australian workers, Work Choices showed that that would be a price that would have to be paid by this government.

This is an ideological government; a government that puts ideology before the national interest. It is an untrustworthy government because you cannot trust a word it says. I asked Senator Abetz today about changes to the 457 visa system, and he simply said, 'No, there will be no changes.' The problem for Senator Abetz and the problem for this government is that not only do we on this side of the chamber not trust them, but the Australia public also do not trust the Abbott government, because this government is a one that came to power based on lies and misrepresentation. We see it every day of the week with this government: more changes that were not outlined to the Australia public by this government and more lies and more rhetoric to try to hide the facts of its untruthful position.

When Senator Abetz raised the issue of immigration, he failed to deal with the article in *The Australian* today, where Senator Cash is quoted as saying:

> Our immigration responses should recognise the unique labour needs of different geographic areas and allow flexibility to properly respond to those needs.

Senator Abetz will obviously have an opportunity to respond in this debate, and I would ask him to have a look at that article in *The Australian* and respond to Senator Cash's argument that you need different, more flexible approaches—that you have to be unique. There has been one other argument that I have heard about the uniqueness of the Australian labour market, and that argument came from Gina Rinehart. Gina Rinehart said that we should recognise the uniqueness of the mining industry and the uniqueness of the regional areas where mining takes place. That uniqueness could be fixed up by looking at what happens in Africa, where workers are on $2 a day, and we had to compete with workers in Africa on $2 a day. This position is in *The Australian* today—guidelines have been seen by *The Australian*. *The Australian* is saying, 'We have seen these guidelines.' The reporter has seen the guidelines and it means that workers could be paid as skilled workers about $10,000 less, or 10 per cent less, than other workers. A skilled worker could be paid $48,510 a year, rather than the minimum rate of $53,900 a year.

Senator Abetz, nobody believes your government. Nobody believes you. When it comes to the Department of Human Services on bargaining, what is the ask there? Lots of access to flex time; loss of overtime for additional hours worked; reduced hourly rates of pay; a reduction of 5.9 per cent of superannuation contributions; reduced job security; massive cuts to conditions of employment; and a pay offer that would result in the reduction of real wages. (Time expired)

**Senator BACK** (Western Australia) (15:26): Don't you feel sorry for poor old Senator Cameron? He warbles in here, he goes on about lies, he goes on about the failures of the Abbott government. There are four main pillars of the Abbott government, one of which we saw here today. The first is that we will get rid of the carbon tax and the mining tax.

**Senator Cameron:** The first pillar is lies.

**Senator BACK:** That is a lie is it Senator Cameron? The second one is that we are going to stop the boats. That is another lie, is it, Senator Cameron? Look at your performance in government. The third pillar is that we are going to build the roads of the twenty-first century and we all know that they are well and truly underway. The fourth one is that we are going to
fix the budget. Every one of those are well and truly underway. But do not allow Senator Cameron's interjections to interfere.

What did the Leader of the Government in the Senate say in answer to questions today? He said that the Fair Work Commission is the appropriate place for these issues to be debated. And, indeed, they have been debated. If I could refer to Mr John Hart and the hospitality and catering industry, who took to the Fair Work Commission a case that said that a circumstance—particularly on Mondays that are public holidays—that the 75 percent penalty for people working on those days was too high, and he won the case.

Let me give you some stats, because these are important, particularly to employment for long-term unemployed people—young people, older people and regional people. Deloitte were commissioned by hospitality and catering to look at where the job needs are. They came back recently with a figure of 65,000 jobs unfilled in hospitality and catering by the end of 2014. When you add tourism to that it goes up to 80,000 jobs that are there begging. The other day when we spoke to the president of the Australian Hotels Association in Perth, the question was asked, 'Why are there so many foreign sounding accents on the other side of the bars?' He said that a recent survey indicated—Senator Sterle who travels throughout the state will be interested in this—that his members could not find local Australians to take 45 per cent of the jobs in hotels in WA. So, that is where the demand is and that is where the opportunities lie. When we heard poor old Senator Cameron going on about overseas workers, let me make this point very, very clearly: it is always in a company's interests, it is always in Roy Hill's interests, to employ Australians. Why? Because you do not have to relocate them from another country. You do not have to orientate them to our country. You do not have to provide all of those necessities that are not necessary for Australians. That is why we will always prefer Australians rather than those who are not from our country.

But the simple fact of the matter is, as those of us from the powerhouse state of Western Australia know, that we cannot always fill the jobs with those who have the necessary skills. A good example is welding skills on some of our offshore projects at the moment. What are we going to do? Not go ahead with those projects? Is that in the best interests of Australia? Is that in the best interest of Western Australians and Australian workers generally? Not to actually go ahead with those projects? No, it isn't the best thing!

Senator Bilyk interjecting—

Senator BACK: Thank you, Senator Bilyk, for your contribution. I appreciate it.

Senator Cameron interjecting—

Senator BACK: It is in the best interests of Australia, obviously, to employ Australians. But when we cannot, the best interest surely must lie with getting in those visa holders who can do the work skillfully—not to the exclusion of Australians.

Senator Cameron made an observation. What he omitted to do in talking about wages below, of course, was to say—and I am going to read the background here, if I may—listen carefully, through you, Mr Deputy President, to Senator Cameron: 'in exceptional circumstances, if the employer has not been able to find an Australian worker in an occupation where the award or the market rate is below.' There we are! If you cannot find an Australian worker you go and have a look at another one.

Senator Cameron interjecting—
Senator BACK: Since Senator Cameron invited the opportunity to respond to all questions asked of Senator Abetz I am delighted to be able to respond to those of Senator Sterle. It is wonderful in the coalition that we can canvas a wide range of views, because we have a wide range geographically, as Senator Sterle himself well knows.

We have a mainly export-oriented wheat industry in Western Australia—

Senator Bilyk interjecting—

Senator BACK: Ninety-five per cent, Senator Bilyk—you do not grow much wheat in Tasmania—95 per cent of our wheat is exported, regardless of the size of the harvest.

Here on the east coast sometimes very little is exported; depending on their harvest it might be nearly all taken domestically. So thank you very much. There is a circumstance: we in the coalition have the opportunity to canvas the wide range of views and to come up—

Senator Cameron interjecting—

Senator BACK: You would not believe it, Senator Cameron: we can come up with good decisions based on good policy! Try it sometime! You will be interested—(Time expired)

Senator CAROL BROWN (Tasmania) (15:32): What we heard in response to the questions by the opposition from Senator Abetz today was a minister who is completely out of touch in his position on jobs. About an answer to my question in particular: I was hoping that Senator Abetz had been listening and had realised that his policy requiring job seekers to apply for 40 jobs a month was not achievable and not able to be implemented realistically.

Senator Abetz: I am sitting here to listen to you.

Senator CAROL BROWN: I thought he might have been listening to the unemployed people and community organisations that have said from the very outset that this is a completely meaningless way to help unemployed people into jobs.

I thought he might have been listening because last week, I think it was, on 2GB Drive Minister Abetz said that he was not about people applying for jobs in meaningless ways. Of course, he acknowledged that that would be a burden to small businesses. So I had a little ray of hope that this minister, who has put this policy out there—this policy that will not work and which does nothing to help unemployed people into jobs—was finally listening, even to the small business community.

But it appears today, from his answers in the Senate, that that hope has gone. He was not listening. He is not prepared actually to look at his ideologically-driven policy and to put it aside because everyone knows, including the minister's own party, that this is a policy that will not work.

I also asked Senator Abetz about Tasmania, where we have 7.6 per cent unemployment and where we also have, unfortunately, the highest youth unemployment rate in the country. Up in Braddon on the north-west coast, Mr Whiteley's seat—the member for Braddon—we have 21 per cent youth unemployment.

Senator Abetz: A very good member!

Senator CAROL BROWN: Senator Abetz suggests that Mr Whiteley is a very good member. If he were a very good member he would be going out to see Senator Abetz and saying, 'This is not going to help young unemployed people in my area. It's not doing anything for them.' On the one hand they have been told to get out there and apply for these
jobs in this way and then training pathways have been taken away—all the training that was available to them.

So everyone knows that this is a harsh policy and it does nothing to assist job seekers. But it is not designed to assist job seekers; it is designed to punish them. This is what it is designed to do. Of course, the Newstart under-30s measures that the government is also seeking to implement are designed to punish the job seekers as well. They are designed to punish people because they are unemployed. This is what this government is doing.

As I was saying, on the north-west coast youth unemployment is over 21 per cent and this is a policy that is going to have devastating effects in Braddon when people start to lose all support for a minimum of six months. We know that it can be much longer. In Tasmania, youth unemployment is 17.4 per cent compared to the national average of just over 12 per cent.

**Senator Abetz:** A legacy of state Labor.

**Senator CAROL BROWN:** Senator Abetz interjects again. We have just seen this unemployment rate rise and Premier Hodgman has just announced in his budget that he will sack 700 public servants. That is not going to help the job market at all.

**Senator Abetz interjecting—**

**Senator CAROL BROWN:** Senator Abetz indicates that people should somehow find another way of finding a job— *(Time expired)*

**Senator SESELJA** (Australian Capital Territory) *(15:37)*: It is a great pleasure to have the opportunity to speak on the motion to take note of Senator Abetz's answers during question time, because I think Senator Abetz gave some fantastic answers. What this actually reflects on is the questioners. We are going to spend a little bit of time on Senator Cameron, because Senator Cameron's performance was particularly embarrassing, and it was compounded by his contribution to this debate.

If we are going to take note of answers, it is also important we take note of the questions that are asked by those opposite. Senator Cameron asked Senator Abetz, 'Has the government established new rules which will enable employers to hire foreign workers on salaries up to 10 per cent below standard rates?' Senator Abetz's answer was, 'No.' Instead of going to the part of his question that says, 'If yes, ask this; if no, ask this,' Senator Cameron went ahead and asked, 'Won't the introduction of foreign workers on below standard rates simply make it more difficult for Australians to get a job?'

Didn't you hear the answer to the question? The answer to the question was 'No,' Senator Cameron, yet you felt the need to go ahead with the question as if you had not heard the answer given by Senator Abetz. That is the fundamental problem. You have no regard to the facts, no regard to what is put on the record; you simply make assertions even when you know they are false. That continued as Senator Cameron quoted from the article which presumably spurred the question in the first place. I am told the article that Senator Cameron was quoting from was retracted by the author later on the same day. Senator Cameron asked a question based on an article that had already been retracted, he got a clear answer saying that there is going to be no change and then he went ahead with his line of questioning. Senator Cameron—
The DEPUTY PRESIDENT: Order! Senator Seselja, please address your remarks through the chair.

Senator SESELJA: Through you, Deputy President, you can tell when Senator Cameron has no grasp of the facts because he gets louder and louder and louder. The louder he speaks, the more hot air, the surer you can be that he has no idea what he is talking about. That is what people should look out for when they hear Senator Cameron in debate. As he yells and we hear the bile that we often hear, be sure that he has not read the document he is referring to. We saw it with the stronger penalties legislation that we were debating and that we will be debating later: he clearly had not read it. He is the shadow minister but he does not actually know what is in it. Senator Cameron might be good at defending some of his factional allies, like Ian Macdonald of ICAC fame, but he is not so good at getting across the detail.

Let us be clear on what we are talking about. Let us be clear on what Senator Abetz made clear and on what Senator Cash made clear: the story that was published was false. Workers coming in will have to be paid at least what Australian workers are being paid. Those are the facts. Senator Cash has made it 100 per cent clear. The author retracted the article. Senator Abetz made it clear to you in question time today, yet you pretended that it had not happened. How about we deal with the facts rather than the scaremongering? Next time we hear from the likes of Senator Cameron making all sorts of outrageous claims, people should consider that. People should consider how loose Senator Cameron and the Labor Party are with facts. They are not interested in what is actually happening; they are interested in making up a story about what they would like to tell the public is happening. The fact is that it is not true.

Senator Cameron: Imagine you lot saying that—what hypocrisy!

Senator SESELJA: Senator Cameron interjects. He may be good at looking after the likes of Ian Macdonald of ICAC fame, but he is not good at getting across the facts of his portfolio. That has been shown again today. I commend Senator Abetz for putting some facts on the table today. (Time expired)

Senator STERLE (Western Australia) (15:42): I also rise to speak on the motion to take note of the answers given by Senator Abetz to questions put to him in question time. But I just want to say that that was a shocking waste of five minutes—that was terrible. You really had no grasp, Senator Seselja.

I want to touch on the important issue of the use of foreign workers, particularly but not limited to those on 457 visas. Everyone in this place knows my commitment to the Kimberley, after 30 years of working up and down that area both as a truckie and then as a senator. If we did not have foreign workers, backpackers, in the Kimberley, I would be the first one to admit, the Kimberley would close down. Roadhouses would not be open, pubs would not be open and cafes would not be open. It is a well-known fact.

We on this side of the chamber have never ever set out to demonise foreign workers. Our problem is when they are used to the exclusion of Australian workers, on substandard rates of pay and conditions, and when Australians are not even given the opportunity to apply for the job. It is all right for Senator Back to carry on, raise his voice, scream and somehow attack me. I was half asleep, but he woke me up. I do not know how I fitted into it.

Mr Deputy President, you have a commitment to working people, as demonstrated in your previous life. I am not running this as an argument from just this side of the chamber, but I am
going to pose a small question that I do not expect to be answered. I am going to plant a seed in those opposite. I contacted a very good friend of mine yesterday. We were having a chat. I wanted to ask him how things were in WA. He has a transport company. I am going to dig deeper into this. He said to me: 'You are not going to believe what is happening in WA.' He said he has never seen it so bad, that it is shocking. He said, 'There is a mob in WA that have started up a removals company and they only target office removals,' which is a very, very important part of the removals industry, because it employs a heck of a lot of workers, predominantly after hours and on weekends. As an ex furniture removalist I say we made our cream on office removals on the weekend. But he has put to me—and he is going to give me the information—that this mob that have started up only use backpackers. They only access foreign backpackers to go out there, put on a pair of sand shoes or desert boots—no training, no occupational health and safety, not Australian residents, not going to spend a heap of their money and time here in WA. It is just a means to get a few bob and then take off somewhere else.

We welcome backpackers—crikey, the more the merrier—but I am going to dig deeper. There is an accusation that there are a number of mining companies in Western Australia using this mob. I am not talking little backyard ventures. I will report it to the Senate, I will investigate fully and I will go out in the media and tell that lot up there. I will be banging, clapping and throwing hand grenades—whatever I have to do. I do not want to start a ‘union’ fight; this is not a union fight. But I challenge that side of the chamber to stand with me because no senator in this place, no member of parliament in the other place, if these accusations are proven correct, could ever justify it. Not even the maddies on the far right on that side could justify the use of backpackers to circumvent Australian citizens carrying out furniture removals—office removals for multi-billion-dollar companies.

With that one cleared, I go to some of the questions to Senator Abetz. I was the one who raised the point about the mess that is their party room and the mocking that started. You do not have to be Einstein and pick up the paper every day to work out there is something going wrong on that side of the parliamentary chambers. You do not have to be Einstein to work out that every time the Treasurer and member for North Sydney opens his mouth there is a bevy of backbenchers who cannot wait to brief the media to have a crack at the mess that was and is this budget. Over 100 days, every day we go to the media there is someone backgrounding about what a mess this is. Even today. I am not going to have enough time, unfortunately, but the latest one is the absolute meltdown of the Treasurer in their party room today. I have run out of time, but I will get to contribute to this slapdown— *(Time expired)*

Question agreed to.

**Budget**

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:47): I move:

That the Senate take note of the answer given by the Assistant Minister for Social Services (Senator Fifield) to a question without notice asked by Senator Siewert today relating to income support.

As my colleague Senator Ludlam outlined when he was asking his question today, it is very rare that we actually get an answer to the questions that we ask in this place, and this was the same for me today. The government expect us to believe them when they say they are not considering changes to the waiting period. Minister Fifield did not address that issue; in fact, he just repeated what the measures do—and, of course, every time you hear them it sends
shivers up your spine to think about what impact these changes are going to have on people under 30 who are subjected to periods of six months on and six months off income support.

If they are considering changing the so-called waiting period, the other question to then ask is if it is going to affect the other periods when people come off work for the dole. Will it be one month on, one month off? If that is what they are doing, it still equates to six months of no income support for people under the age of 30. Again the question there is: how do you expect them to live? How do you expect them to stay connected to work? How do you expect them to be able to pay their rent? How do you expect them to be able to buy food and meet their requirements for basic living essentials? The government knows very well that this is going to have a negative impact, which is why they have allocated $229 million over four years to fund, basically, charities and community organisations to support those people who are living in extreme financial distress.

The media reported the possible compromise today. I should put on the table right now that we will not support a compromise. There is no excuse for keeping people off income support, because you subject them to severe financial hardship. In raising that possible compromise today the media reported that the government is once again citing examples from New Zealand, where job seekers are subjected to a one-month so-called waiting period without income support. But I think they need to be very careful when they are quoting New Zealand’s experience. Certainly some of the experts and academics working on this issue in New Zealand say that the safety net has developed big holes. Does that sound familiar? That is exactly what is happening here. The safety net has holes so big that with these changes people will fall right through.

They say the safety net has developed big holes and the country has ‘enormous’ issues with child poverty. They go on to say:
If you’re going down the path of copying us, you really need to look at impacts.
They also caution Australia against rushing to copy many of their reforms, saying that, while it was tightly targeted, it ran the risk of excluding people who needed benefits. They talk about the safety net coming increasingly under question, with the number of people demonstrating special hardship to qualify for an emergency payment increasing by 43 per cent between 2007-08 and 2011-12. That is exactly what the government knows is going to happen here, which is why they have allocated additional emergency relief. People have to go to charity organisations and beg to be able to survive.

There is no evidence. When I asked for evidence, the minister was not able to provide any. The government has not provided any evidence. The community affairs committee inquiry got into these changes to social security. The evidence of the organisations that presented to that inquiry was very clear: it will have a negative impact. It will subject people to financial hardship. The evidence is there that this will put more barriers in the way of people finding work—living in poverty is another barrier to work. People will be struggling to survive, living hand-to-mouth and trying to survive all day. Forget being able to apply for up to 40 jobs a month, because what people will be doing is struggling to survive—and that takes all your resources when you are living on nothing. There is no evidence to support this flawed policy. The government should kick this whole package of measures out.

Question agreed to.
NOTICES

Presentation

Senator Seselja to move:
That the time for the presentation of the report of the Community Affairs Legislation Committee on the provisions of the Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014 and a related bill be extended to 10 September 2014.

Senator Rice to move:
That the Senate supports the building of a high speed rail network in eastern Australia.

Senators Smith and McKenzie to move:
That the Senate notes:
(a) that 3 September is Australian National Flag Day which commemorates the first time the Australian national flag was flown in 1901;
(b) that Australian National Flag Day is an opportunity for Australians to express their pride in our national flag; and
(c) the continuing community support for the values the Australian national flag has come to represent.

Senator Rhiannon to move:
That the Senate—
(a) notes that:
   (i) 31 July was World Ranger Day, which celebrates the work of park rangers around the world and commemorates those who have died in the line of duty,
   (ii) park rangers, their ranger associations, and the International Ranger Federation ensure the world’s terrestrial and marine parks, and the flora and fauna that live in them, are protected from vandalism, poaching, theft, exploitation or destruction,
   (iii) over 1 000 rangers worldwide have lost their lives over the past 10 years, 80 per cent of whom have been murdered by poachers and armed militias, and
   (iv) the International Ranger Federation raises awareness of, and support for, the critical work that the world’s park rangers do in conserving our natural and cultural heritage;
(b) calls on the Government to consider:
   (i) providing practical support to The Thin Green Line Foundation’s work in protecting park rangers and supporting the families of those who have lost their lives in the line of duty, and
   (ii) assisting international efforts to control poaching and the illegal trade in wildlife and timber products; and
(c) expresses its condolences to the family, friends and work colleagues of Mr Glen Turner, a park ranger killed in northern New South Wales in July 2014.

Senator Wright to move:
That the Senate—
(a) recognises that 1 September to 7 September 2014 is National Body Image and Eating Disorders Awareness Week;
(b) notes that in 2012 there were more than 913 000 people in Australia living with a clinical eating disorder, and that more than 1 800 people die each year because of these deadly mental illnesses;
(c) recognises the significant social and economic costs of eating disorders and the strength and contribution of those who care for people experiencing eating disorders; and

(d) calls on the Federal Government to take a lead in prioritising eating disorders as an urgent mainstream health issue in Australia, and to work with all state and territory governments to:

(i) support the development and education of a health workforce proportional to the need, which is able to identify and treat eating disorders,

(ii) fund integrated treatment facilities and programs in hospitals and the community, with appropriate specialist care,

(iii) ensure an appropriate proportion of the health budget is available for the development and establishment of community-based recovery support and prevention services, and

(iv) provide funding and support for the necessary education and prevention programs for young people.

Senator Conroy to move:

That the Senate calls on the Abbott Government to keep its pre-election promise to design and build Australia’s future submarine fleet in Adelaide, and to justify why it is planning to destroy Australia’s strategically vital shipbuilding capability.

Senators Nash, McLucas, Milne, Lambie, Day, Leyonhjelm, Madigan and Xenophon to move:

That the Senate—

(a) notes that:

(i) 2014 is the centenary year of Red Cross in Australia – a significant milestone in the history of our nation – commemorating 100 years of humanitarian service to the people of Australia,

(ii) for 100 years the Australian Red Cross has enjoyed a unique auxiliary status to the public authorities in the humanitarian field, working in partnership with governments of all political persuasions, both in Australia and internationally, to alleviate human suffering while adhering to the principles of independence, neutrality and impartiality,

(iii) many Australians have a personal connection with the Red Cross: from its humanitarian role during two World Wars and other significant conflicts; to preparing, responding to, and recovering from natural disasters; to helping vulnerable people and communities overcome difficulties; or, through the world-class national blood service,

(iv) today, the Red Cross has a network of over one million volunteers, members, staff, donors, aid workers and supporters in Australia,

(v) through this network, the Australian Red Cross mobilises the power of humanity to help transform the lives of people in need right across the country, and

(vi) the Australian Red Cross is part of the world’s largest humanitarian movement, with tens of millions of volunteers working in 189 countries, united by the fundamental principle of preventing and alleviating human suffering wherever it may be found, without discrimination;

(b) joins with the Australian Red Cross in celebrating the 100th anniversary of its founding on 13 August 1914, nine days after the outbreak of World War One;

(c) congratulates generations of Australians for their extraordinary contribution to the everyday work of the Red Cross; and

(d) recognises the independent humanitarian mission of the Red Cross to work with and assist the most vulnerable people in need, both in Australia and internationally.

Senator Hanson-Young to move:
That the Senate—

(a) recognises that:
   (i) millions of people have been forced to flee the ongoing deadly conflicts in Iraq and Syria, and
   (ii) Australia must play its part in assisting those who are seeking protection from these atrocities; and

(b) calls on the Government to:
   (i) issue a moratorium on the return of asylum seekers back to danger in Iraq and Syria, and
   (ii) offer a reprieve to those detained in immigration detention centres to allow them to apply for protection in Australia.

Senator Hanson-Young to move:

That the Senate—

(a) expresses its concern over the Federal Government’s budget cuts to the Red Cross Migrant Support Program that will result in 500 job losses across South Australia, Western Australia, Queensland and Victoria;
(b) notes the negative impacts that these job losses will have on the welfare and health services available to refugee and asylum seeker families living in the community; and
(c) calls on the Government to reverse these cuts and instead grant work rights to Bridging Visa holders so they can become self-reliant.

Senators Madigan, Muir, Xenophon, Lambie, Bullock, Canavan and Heffernan to move:

That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by the last sitting day in March 2015:

Australia’s transport energy resilience and sustainability, with particular reference to:
   (a) options for introducing mandatory oil stockholdings;
   (b) the role of Government in ensuring Australian energy for Australians, including maintaining refinery capability; and
   (c) Australia’s role and responsibility regarding energy security as a member of various multilateral fora.

Senator Lazarus to move:

(1) That a select committee, to be known as the Select Committee on Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs, be established to inquire into and report on:

(a) the amount of Commonwealth funds allocated or paid to the State of Queensland since 26 March 2012, with particular reference to:
   (i) the purposes for which the funds were appropriated by the Parliament,
   (ii) performance measures in relation to Commonwealth funds paid to the State of Queensland,
   (iii) identified breaches of funding agreements or conditions,
   (iv) the proportion of the Queensland State budget derived from Commonwealth funds, and
   (v) whether any Commonwealth funds have been used by the State of Queensland for state government advertising or party political purposes,

(b) the administration of the Queensland courts and judicial system insofar as it relates to cross vesting arrangements, with particular reference to judicial independence and separation of powers;
(c) approval process for the development of projects for the export of resources or services insofar as they are administered by the Commonwealth or under a bilateral agreement with the Commonwealth;

(d) the extent to which Queensland State Government policies and practices are consistent with Australia’s obligations under international environmental law instruments;

(e) whether it is appropriate for the Federal Minister for the Environment to delegate his approval powers to the Queensland State Government under the Environment Protection and Biodiversity Conservation Act 1999 by way of approval bilateral agreements or strategic assessments;

(f) the extent to which Queensland State Government policies and practices are consistent with Australia’s obligations under international human rights instruments, with particular reference to:

   (i) the administration of prisons, and
   (ii) detention without trial; and

(g) any other matter the committee considers relevant.

(2) That the committee presents its final report on or before 31 March 2015.

(3) That the committee consist of 5 senators, 1 to be nominated by the Leader of the Government in the Senate, 2 to be nominated by the Leader of the Opposition in the Senate, 1 to be nominated by the Leader of the Australian Greens, and 1 to be nominated by the Leader of the Palmer United Party.

(4) That:

   (a) on the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and minority groups and independent senators, participating members may be appointed to the committee;

   (b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and

   (c) a participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

(5) That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.

(6) That the committee elect as chair a member nominated by the Leader of the Opposition in the Senate and, as deputy chair, a member elected by the committee.

(7) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.

(8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That the quorum of the committee be 3 members.

(10) That the committee and any subcommittee have power to send for and examine any person and any document, to move from place to place (including, but not limited to, major metropolitan and regional centres in Queensland and the committee shall conduct public hearings in Nambour, Ipswich, Mackay, Rockhampton, Kingaroy, Mt Isa, Bundaberg, Toowoomba, Townsville and Cairns) to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives.

(11) That the committee shall report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.
(12) That the committee has power to appoint subcommittees consisting of 2 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider.

(13) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(14) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

Senator Lazarus to move (contingent on the President presenting a report of the Auditor-General on any day or notifying the Senate that such a report had been presented under standing order 166):

That so much of the standing orders be suspended as would prevent the senator moving a motion to take note of the report and any senator speaking to it for not more than 10 minutes, with the total time for the debate not to exceed 60 minutes.

Senator Lazarus to move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business):

That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any matter.

Senator Lazarus to move (contingent on the Senate proceeding to the consideration of government documents):

That so much of the standing orders relating to the consideration of government documents be suspended as would prevent the senator moving a motion relating to the order in which the documents are called on by the President.

Senator Lazarus to move (contingent on a minister moving a motion that a bill be considered an urgent bill):

That so much of standing order 142 be suspended as would prevent debate taking place on the motion.

Senator Lazarus to move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill):

That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.

Senator Lazarus to move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired):

That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

Senator Lazarus to move (contingent on the moving of a motion to debate a matter of urgency under standing order 75):

That so much of the standing orders be suspended as would prevent a senator moving an amendment to the motion.

Senator Lazarus to move (contingent on the President proceeding to the placing of business on any day):
That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the Notice Paper.

Senator Lazarus to move (contingent on a minister at question time on any day asking that further questions be placed on notice):

That so much of the standing orders be suspended as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 28 questions, including supplementary questions, have been asked and answered.

Senator Lazarus to move (contingent on any senator being refused leave to make a statement to the Senate):

That so much of the standing orders be suspended as would prevent that senator making that statement.

Senator Lazarus to move (contingent on any senator being refused leave to table a document in the Senate):

That so much of the standing orders be suspended as would prevent that senator moving that the document be tabled.

Withdrawal

Senator WHISH-WILSON (Tasmania) (15:53): I withdraw general business notice of motion No. 405 standing in my name for today relating to Captain Paul Watson.

Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Dastyari for today, proposing the disallowance of items 1 to 27 inclusive and item 30 of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, postponed till 3 September 2014.

General business notice of motion no. 384 standing in the name of Senator Xenophon for today, proposing an order for the production of documents by the Attorney-General, postponed till 4 September 2014.

General business notice of motion no. 408 standing in the name of Senator Ludlam for today, relating to uranium exports to Russia, postponed till 3 September 2014.

COMMITTEES

Rural and Regional Affairs and Transport References Committee

Reference

Senator HEFFERNAN (New South Wales) (15:53): I, and also on behalf of Senators Leyonhjelm and Reynolds, move:

That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 24 November 2014:

The industry structures and systems governing the imposition of and disbursement of marketing and research and development (R&D) levies in the agricultural sector, with particular reference to:

(a) an audit of reports, inquiries and reviews relevant to this inquiry;
(b) the basis on which levies are imposed, collected and used;
(c) competing pressures for finite R&D funds;
(d) the opportunities levy payers have to influence the investment of the levies;
(e) the opportunities levy payers have to approve and reapprove the imposition of levies;
(f) the transformation of R&D and marketing into increased returns at the farm gate, including the effectiveness of extension systems;
(g) collaboration on research to benefit multiple industry and research sectors;
(h) industry governance arrangements, consultation and reporting frameworks; and
(i) any other related matter.
Question agreed to.

Select Committee on Health
Meeting

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:54): At the request of Senator O'Neill, I move:
That the Select Committee on Health be authorised to hold a public meeting during the sitting of the Senate on Thursday, 4 September 2014, from 3.15 pm to 4 pm.
Question agreed to.

Economics References Committee
Reporting Date

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:55): At the request of Senator Dastyari, I move:
That the time for the presentation of the report of the Economics References Committee on its inquiry into forestry managed investment schemes be extended to 31 March 2015.
Question agreed to.

Joint Committee of Public Accounts and Audit
Meeting

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (15:55): At the request of Senator Smith, I move:
That the Joint Committee of Public Accounts and Audit 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) Thursday, 25 September 2014;
(b) Thursday, 2 October 2014;
(c) Thursday, 30 October 2014, followed by a public meeting;
(d) Thursday, 27 November 2014, followed by a public meeting; and
(e) Thursday, 4 December 2014, followed by a public meeting.
Question agreed to.

Legal and Constitutional Affairs References Committee
Reporting Date

Senator WRIGHT (South Australia) (15:55): I move:
That the time for the presentation of reports of the Legal and Constitutional Affairs References Committee be extended, as follows:
(a) Manus Island Detention Centre—to 27 October 2014;
(b) Australian Federal Police – Oil for Food Taskforce—to 26 November 2014; and
(c) illicit firearms—to 2 December 2014.
Question agreed to.

BILLS

Corporations Amendment (Financial Advice) Bill 2014

First Reading

Senator WHISH-WILSON (Tasmania) (15:56): I move:
That the following bill be introduced: A Bill for an Act to amend the Corporations Act 2001, and for related purposes.
Question agreed to.

Senator WHISH-WILSON: I present the bill and move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Second Reading

Senator WHISH-WILSON (Tasmania) (15:56): I move:
That this bill be now read a second time.

I seek leave to table an explanatory memorandum relating to the bill.
Leave granted.

Senator WHISH-WILSON: I table the explanatory memorandum and I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.

The speech read as follows—

According to the Australia Securities and Investment Commission (ASIC), in a report released in 2010, between 60-80% of Australian adults have never used a financial planner. The report also asserted that the people that could benefit the most from financial advice are younger people and those with less wealth or income, however these are the two cohorts that seek financial advice the least.

There is little doubt that accessibility to financial advice and improved financial literacy would help a large number of Australians better manage their finances. However the cloud that hangs over the financial advice industry as a result of scandals and cover-ups is a large contributor to why financial advice is underutilised.

Over the last decade events such as the collapse of Storm Financial and managed investment schemes such as Timbercorp burnt many retail investors who sought out and received financial advice. The recent Senate Economics Committee inquiry into the activities of the Australian Securities and Investment Commission led to the presentation of compelling evidence and widespread publicity of the fraudulent activities that went on in the Commonwealth Bank subsidiary Commonwealth Financial Planning. Macquarie Wealth was also implicated by the Senate inquiry.

It is unsurprising that Australians are hesitant in seeking financial advice following these types of revelations. This is to the detriment of the vast majority of independent financial planners who are responsible and demonstrate professional conduct.
The current Government has also made it clear that they are more interested in protecting the financial services industry, especially the large banks which dominate the industry, rather than consumers. They are unwilling to ensure past incidences of wrongdoing are appropriately investigated and that the perpetrators are prosecuted. The ASIC inquiry recommended a Royal Commission into the activities of the Commonwealth Bank. Even with their penchant for Royal Commissions (Pink batts and Unions) the Government was pretty clear that they wouldn't be exposing the big end of town to proper investigation.

They are also unwilling to accept that the legislation and structures that govern the industry need changing. Their determination to unwind the previous government's future of financial advice reforms to the detriment of the consumer clearly demonstrated this. A coalition of consumer organisation including CHOICE and Seniors Australia united in their concern at the Government's actions.

It was extremely disappointing to see the Palmer United Party join the Government in the Senate to ensure the changes to the future of financial advice reforms were enacted through regulation. I hope the Palmer United Party takes a good look at the legislation when it arrives in the Senate and vote against the legislation to ensure consumers are protected.

This Bill is a small step in reforming the legislation that governs the industry by providing consumers with a clear differentiation between personal and general advice. It is a direction explored by David Murray in his Financial Systems Inquiry interim report. Surprisingly it is also a position that the Commonwealth Bank has recently advocated for. Media reports on August 29 indicated that the Commonwealth Bank thought renaming 'general advice' sales is a positive move forward.

I welcome the recognition by David Murray and the Commonwealth Bank that changes are needed in terminology.

A slight definitional change is an important first step in amending the Corporations Act to help improve consumer information. Under the Corporations Act 2001, financial product advice falls under two categories, personal advice or general advice. According to the Corporations Act 2001 Section 766B:

"personal advice is financial product advice that is given or directed to a person (including by electronic means) in circumstances where:

(a) the provider of the advice has considered one or more of the person's objectives, financial situation and needs (otherwise than for the purposes of compliance with the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 or with regulations, or AML/CTF Rules, under that Act); or

(b) a reasonable person might expect the provider to have considered one or more of those matters."

The term advice when it is used in reference to 'general advice' is misleading. Under the current legislation 'advice' is provided when, for example, a bank teller provides a customer with information about insurance. The aim of this Bill is to make it clear that when this insurance information is provided it is not advice based on any personal circumstances but is information provided by the teller because they are interested in selling a product. The term advice implies something beyond information. In terms of general advice for financial products this is not the case and therefore the Bill's purpose is to clear up the misconception.

The current government talks about our ageing population and the burden this may place on budgets in the coming years while undermining consumer protections in favour of their mates in the banking and big end of the financial services industry, many who have the vertically integrated business models that pose a systemic risk. This sends the wrong signals by locking in the mistakes of the past. This also means people will potentially continue to refuse to obtain the advice and information that they need to plan for the risks they face over their lifetimes and into retirement.
This Bill presents a straightforward change that the Parliament should adopt. The Government should heed the work done by the Financial Systems Inquiry, an inquiry they commissioned themselves. David Murray asserts in his interim report that:

"Consumers should have confidence and trust in the financial system and be able to expect fair treatment. Effective regulation that minimises misconduct and promotes fair outcomes will drive confidence and trust in the financial system."

It is clear that the Government has no interest in improving the financial services industry and the protection of consumers if it threatens the profits of the large banks and financial services companies. Evidence provided by the recent Senate Inquiry into the repeal of the Future of Financial Advice reforms demonstrated this.

The Greens are eagerly anticipating the final report of the Financial Systems Inquiry particularly in regards to consumer protections. I look forward to working with the industry and consumer groups to make real structural changes.

I again call on the Government to represent the consumers rather than the big end of town. There is a lot to do to improve the reputation of the industry and the protection of consumers. This Bill is just the start. There are many structural issues to tackle to ensure that consumers are protected from another 'Storm Financial' or fraudulent behaviour through a financial services company.

An improved financial advice system that is reliable and trusted benefits the industry itself, the consumer and the country as a whole.

Senator WHISH-WILSON: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOTIONS

Carnaby's Cockatoo

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:57): I, and also on behalf of Senator Ludlam, move:

That the Senate—

(a) notes:

(i) that the '2014 Great Cocky Count' report by Birdlife Australia and Western Australia's Department of Parks and Wildlife has estimated the rate of decline of the Carnaby's cockatoo in the Perth and Peel region at 15 per cent per year,

(ii) that the Carnaby's cockatoo is listed as an endangered species under the Federal Environment Protection and Biodiversity Conservation Act 1999 and in Western Australia under the state's Wildlife Conservation Act, and

(iii) the specific threats to the Carnaby's Cockatoo by ongoing clearing of the Gnangara pine plantation and clearing of native vegetation on the Swan Coastal Plain; and

(b) calls on the Minister for the Environment (Mr Hunt) to require a specific, detailed environmental assessment of the impacts of the clearing being undertaken of the Gnangara pine plantation and of native vegetation on the Swan Coastal Plain.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The Minister for the Environment is aware of the report by BirdLife Australia and the concerns regarding the clearing of native vegetation. The minister is
currently considering the report and other information provided to him. The minister will not pre-empt any decision under national environmental law.

Question agreed to.

Child Labour

Senator RICE (Victoria) (15:58): I move:

That the Senate—

(a) notes:

(i) the 168 million children worldwide working as child labourers face detrimental impacts to their physical, mental and economic development, and

(ii) G20 governments have the opportunity to use their collective purchasing power to tackle child labour;

(b) acknowledges the dedicated work of young VGen volunteers and their efforts to end child labour; and

(c) calls on the Minister for Employment (Senator Abetz) to include discussion of child labour elimination on the G20 Labour and Employment Ministers meeting agenda occurring in Melbourne on 10 September and 11 September 2014.

Question agreed to.

Renewable Energy Target

Senator HANSON-YOUNG (South Australia) (15:59): I move:

That the Senate—

(a) acknowledges the positive role that South Australian wind, solar and other clean renewable energy projects have had in creating jobs, supporting local economies and ensuring a sustainable energy future for the nation;

(b) recognises that:

(i) the move towards renewable energy in South Australia has created thousands of jobs and pushed down wholesale power prices, without creating supply problems, and

(ii) the following projects, which have all been put at risk by the release of the Government's Warburton Review, would see billions of dollars invested in the South Australian economy and create more than a thousand jobs:

(A) Senvion Australia's Ceres wind farm on South Australia's Yorke Peninsula, which would invest $1.5 billion into the economy and create more than 500 jobs,

(B) Infigen Energy's Woakwine wind farm in South Australia's south-east, which would see more than 150 jobs created, and

(C) Pacific Hydro's Kyneton wind farm in the South Australian riverland, which would see more than 500 jobs created; and

(c) calls on the Government to give the South Australian renewable energy industry the confidence and certainty that it needs by recommitting to the full Renewable Energy Target.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The government commissioned an independent panel to review the renewable energy target. This is in line with the government's election commitment and the
legislative requirement for biennial review. The panel's report on the renewable energy target was released on 28 August. The government is considering the content of the report and will announce its response in the coming weeks. The government will not pre-empt the outcome of the process.

Question agreed to.

**MATTERS OF PUBLIC IMPORTANCE**

**Budget**

The PRESIDENT (16:00): A letter has been received 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 impact of the Abbott Government’s GP tax and medicine price hike on pensioners, the poor and the chronically ill.

Is the proposal supported?

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

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

Senator CAROL BROWN (Tasmania) (16:00): I rise to speak in this matter of public importance debate on the impact of the Abbott government's GP tax and medicine price hike on pensioners, the poor and the chronically ill. There is no doubt that the Abbott government's GP tax and medicine price hike will have a profound effect on the lives of many vulnerable Australians. I want to first note today media reports that the Prime Minister is planning 'refinements' to his terrible $7 GP tax. According to David Crowe in *The Australian* newspaper yesterday:

THE federal government is preparing to give ground in one of the most heated fights over its budget reforms as Tony Abbott tells his colleagues to expect “refinements” to the $7 fee on visits to the doctor.

The Prime Minister has signalled the plan in private talks with Coalition MPs amid pressure from crossbench senators for drastic changes to the medical co-payment meant to generate $3.5 billion in revenue over the next four years.

No amount of refinement will fix this rotten GP tax. This plan must be abandoned. The GP tax is cruel and unfair. It is bad health policy. Taxing sick people to see the doctor will prevent them from visiting the doctor when they need to and that will lead to them suffering more serious and costly health problems.

When this tax was first announced I was inundated with emails, phone calls and letters from people voicing their anger and frustration at this tax, as I am sure many senators and members in this place would have been as well. It was clear that the GP tax and increase in the cost of medicines would force many people to have to decide between paying their rent and going to the doctor. For many it would be a choice between putting food on the table and filling their prescription.

It was not just people who were already struggling who wrote to me. Even those who told me that they were well-off could not believe that people who were already disadvantaged
were being singled out with the new tax that undermines our universal health system. They understood what this tax and increase in the cost of medicines would mean to pensioners, families and the chronically ill. The question they asked me and the one I repeat today is: how will pensioners and those who are chronically ill afford the government's new $7 GP tax? This new tax shows just how out of touch this government is with the health needs of Australians. When people are already struggling to make ends meet how will they pay more not only to go to the doctor but also for every prescription they have to fill? Many people who are chronically ill take several medications a day and the cost to them will quickly add up.

I note the report of the Senate Community Affairs References Committee inquiry into out-of-pocket expenses released recently clearly shows that Tasmania would be hardest hit by this terrible new GP tax. The President of the Australian Medical Association, Associate Professor Brian Owler, told the inquiry:

Tasmania has a higher burden of chronic disease and higher smoking rates, and we need to do more to encourage preventive health care and chronic disease management. That is why I think the co-payment is probably going to affect Tasmanians more than it affects people in other jurisdictions. This $7 GP tax will make it so much harder for Tasmanians who are sick. Many will put off going to the doctor and their medical conditions may worsen. The 2013 state government health indicators report found that 16 per cent of low-income Tasmanians have difficulty accessing GPs, with cost one of the key barriers. According to the Department of Health and Human Services in Tasmania, in the period between 2009 and 2011 an estimated 13,000 Tasmanians in the lowest income range ended up having to be treated in hospital for conditions that could have been addressed at the primary care level.

The GP tax will put even more pressure on our public hospital emergency departments and elective surgery waiting lists. Despite the Prime Minister promising no cuts to health, this budget will rip $1.1 billion out of Tasmania's hospitals over the next decade. In this budget cycle alone, funding for Tasmanian hospitals has been cut by $49 million over the next four years. The Royal Hobart Hospital is already under pressure in its emergency department. It was reported in the Mercury newspaper yesterday that a three-year-old boy with severe breathing problems was stuck in an ambulance for 1½ hours while he waited for treatment. According to the newspaper reports, there were no beds available at the hospital. The report said that when the boy's breathing deteriorated the paramedics hit the alarm button to get him seen to.

Labor do not want to make it harder for people who are sick and put more pressure on hospitals that are already under pressure. We do not want pensioners and the vulnerable attacked. Even some government MPs do not support this terrible tax. The member for Braddon, Mr Brett Whiteley, acknowledged in his local paper, though very belatedly, that the GP tax should be scrapped for pensioners and people with chronic illness.

I am surprised that it took him three months to realise that this terrible tax would hurt Tasmanians and especially pensioners and people with chronic illnesses. It seems to me that his new-found concern about the tax was more about saving his own job than a genuine concern about sick people. In Mr Whiteley's own electorate youth unemployment is over 20 per cent, and I ask Mr Whiteley: why should young unemployed people have to pay this unfair new GP tax to go to the doctor? We know from research from the Brotherhood of St
Lawrence released recently that underemployment of young Australians has hit its highest level in 40 years.

But it is not just taxing sick people to go to the doctor; in the budget this government also announced an increase in the cost of PBS medicines by 13 per cent on top of inflation by 1 January 2015. This is another 80c for pensioners on the cost of prescriptions for some of the most disadvantaged Australians, including people on full-rate pensions—the people who can least afford this increase. For the benefit of the Senate, people on full-rate pensions receive about $20,000 per annum. It will be an extra $5 for people who are not pensioners but who also may struggle to find the extra $7 to go to the doctors and then on top of that an extra $5 for a prescription.

Evidence to the Senate Community Affairs Committee inquiry into the National Health Amendment (Pharmaceutical Benefits) Bill 2014 made it clear that these increases to the PBS would target pensioners and low- and middle-income earners. The Consumer Health Forum provided the committee with evidence of more patients not filling their prescriptions due to cost. The Senate report into the PBS price hikes confirmed that those hardest hit by the increase in medicines will be the sick and chronically ill. The committee found that:

… very high users will pay $145.30 extra per single, couple or family per year to reach the general patient safety net.

In a damning indictment, the committee reported:

Some submitters questioned whether the increases in co-payments may result in unintended consequences due to the inability of some patients to fill their prescriptions due to rising costs. Submitters expressed concern that this may result in severe health consequences for vulnerable patients and increased health expenditure in the longer term as well as consequences for the pharmaceutical sector.

The Australian Medical Association told the Senate inquiry that the international research shows that increases in co-payments lead to poor adherence to prescriptions, which would cost taxpayers and the government more in the longer term.

Pensioners and people who are on low incomes and who live with chronic illness rely on bulk-billing and they should not have to pay more for their medicines. They must be spared this harsh and unfair $7 GP tax; they must be spared an increase in the cost of their medicines. The GP tax and the hike in the cost of medicines are an outrageous attack on pensioners, poor people and those who are chronically ill. Both taxes will add to their stress and anxiety. They will compound the disadvantage they already suffer. They are an outrageous attack on our universal health system. Labor will not stand by and see Medicare dismantled. Labor will never support a two-tiered, American-style health system. (Time expired)

Senator SESELJA (Australian Capital Territory) (16:10): I am pleased to have the opportunity to speak to this very important issue today. I wanted to address both of the central elements raised in Senator Brown’s speech, which is about GP co-payments but also about changes in PBS co-payments. Both are very important. Can I make this point at the outset: this is about making both our Medicare system—our medical benefits system—and our PBS sustainable. If you look historically there has been bipartisan recognition that we have to take measures to make these things more sustainable.

I will go into some detail on how the Labor Party saw fit in office in the Hawke-Keating years to not only introduce a co-payment for GPs but also to increase co-payments for the
PBS. We have seen that recognition. That has to be fundamental to this debate. Do we in 10 or 20 years time want to see the Medicare system where people still can have access to their GP or do we want to make it increasingly hard as budgets struggle to keep up? Do we want a situation where we can continue to list the medicines that are needed and people can access subsidised medicine or, where we do not take the measures and therefore see many Australians left behind? That, in fact, is at the heart of what this issue is about. That is at the heart of this debate: in 10 years time, in 20 years time, will we still have these excellent systems that we have?

We believe that the way to make it sustainable is to ask for some contribution by individuals. That has been recognised in a bipartisan way when it comes to the PBS. It has been absolutely recognised by both sides of politics that some contribution when it comes to subsidised medicines is the sustainable way to go. We believe that that also applies when it comes to GPs. So I do want to remind the Senate about the fact of some of that bipartisanship from people like Andrew Leigh and people like Bob Hawke. I will quote from Andrew Leigh. It is worth putting in context when he said this, because it was in 2003. Since 2003 we have seen a significant increase in medical benefits payments by the Commonwealth from around $8 billion to over $18 billion. It has more than doubled since he said this. So if it were true in 2003, it is more true in 2014, given the proportion of our budget that is now being paid out in medical benefits. Dr Leigh described a Medicare co-payment as 'hardly a radical idea'. He made an important point. He said:

As health researchers have shown, costless medical care means that people go to the doctor even when they don't need to—

That was one, but secondly he said:

... driving up the cost for all of us.

That is a really important point. It drives up the cost for everyone and it undermines the sustainability. Andrew Leigh had that to say back in 2003, back when we were paying out about $8 billion under the Medicare benefits schedule. Now we are doing over $18 billion. If it was true when Andrew Leigh said it in 2003, it is even more true now, in 2014.

Of course, we know about Bob Hawke. Senator Brown, I think towards the end of her speech, suggested that this was about getting rid of Medicare; this was about undermining Medicare. It is actually the opposite. I do not think there would be a Labor senator—and I challenge a Labor senator to say this—who would say that Bob Hawke was interested in destroying Medicare. Was Bob Hawke interested in destroying Medicare? No. I do not think anyone could legitimately make that claim. I think people would say that Bob Hawke was committed to Medicare. One of the ways he showed his commitment was in seeking to make it more sustainable.

**Senator Carol Brown:** There isn't a GP tax.

**Senator SESELJA:** I hear the interjections from Senator Brown. I would be happy if a Labor senator did want to get up and say that Bob Hawke was seeking to undermine Medicare. I do not believe that is what he was doing; I believe what he was doing was seeking to make it sustainable. Many years ago, when we were spending a lot less than even when Andrew Leigh made his comments in 2003, he said: 'It is quite clear. I understand there is a very significant blow-out in regard to the Medicare situation in terms of servicing. What needs to be done, of course, is to ensure that both on the supply side and the demand side...
there be some restraint imposed because you can't have a situation where you're just going to have outlays growing as in the rate they were.’ That is what Bob Hawke had to say.

Senator Carol Brown: This is about stopping people going to the doctor. That's what it's all about.

Senator SESELJA: Senator Brown interjects. Apparently, when Bob Hawke said it, it was not wrong and it was not undermining Medicare—and I do not believe he was trying to undermine Medicare. But many years later, when we are making many more and much greater payments, it is different. Andrew Leigh recognised in 2003, when we were paying out $8 billion, that this was a good idea. He recognised it in '03; Bob Hawke recognised it well before that. We take the same approach: we want to make Medicare more sustainable. This has been recognised as the way to do that. It has been recognised by Andrew Leigh, it has been recognised by Bob Hawke and it is recognised in this year's budget.

The alternative, when it comes to both MBS and PBS, is for the system to become unsustainable and for Australians to not get the kind of medical care that they deserve. That is something, on the coalition side, that do not want to see.

We hear the criticisms about co-payments for PBS. We have seen historical changes to payments for PBS. We have seen that historically. Under both sides of politics we have seen it. In 1983 we saw $2 for concessional co-payments. In 1986, under the Labor government, we saw the co-payment for non-pensioners increasing from $2 to $2.50. For pensioners, we saw it increasing in 1990 from nothing to $2.50. And we saw it under the Howard government because there is a recognition that, if we want to have a PBS system that continues to provide life-saving drugs for Australians, asking people to make a modest contribution to that is a good way to go. It is an important way to go.

It is not something that was invented by the coalition upon coming to office; it is something that was recognised by previous Labor governments; it is something that was recognised by previous coalition governments. Under the previous Labor government—the Rudd-Gillard-Rudd governments—we saw, in fact, the listing of only eight medicines every month, when we are seeing now over 20 medicines every month being listed. We want to see medicines on the PBS. We want to see Australians having access to that. That is what we are seeking to deliver. That is what the facts show—and, in fact, we were lagging behind in the last six years. I do not want to see a situation in 10 years time or 15 years time or 20 years time where members of my family cannot get access to live-saving drugs that are not listed because the system becomes unaffordable. This is an important part of the sustainability of our healthcare system that has been recognised for a long time by both sides of politics. It has been recognised by people like Bob Hawke, by people like Andrew Leigh and by people like this coalition government.

The alternative, of course, as we see the increasing costs is to pretend that there is no problem. That seems to be the Labor Party's approach to all of these budgetary issues. We do need to get the budget under control. That means taking sensible measures—measures that in the past have been supported by the Labor Party, but in fact, now, they are being reckless in not supporting it, with no alternative plan. They have only a plan for more and more debt and deficit but, importantly, for an undermining of our healthcare system as it becomes increasingly unsustainable.
Senator DI NATALE (Victoria) (16:21): Before I go to the details of the issue of the GP co-payment, I want to refer to the matter of public importance, which is:

The impact of the Abbott Government's GP tax and medicine price hike on pensioners, the poor and the chronically ill.

I want to say something about that. The members of the coalition would be surprised to hear that I do not think this is a GP tax. I do not think it has any of the hallmarks of a tax. I think it is quite clearly a co-payment. It takes us closer to a user-pays system. In fact, I have deliberately avoided using the word 'tax'—and let me tell you why.

When this issue first came up, we considered calling this a GP tax and I resisted it. I resisted it because, every time we run around in this place and use the word 'tax' in this sort of context, we undermine those effective, fair and efficient taxes that allow us to fund universal health care, insurance, income support, education and so on. Taxation is the price you pay for a civilised society. I am, for one, someone who supports progressive taxation and who supports a taxation on resource consumption. I think taxes can be a good thing if collected wisely and spent wisely. That is why I think it is a mistake to refer to this as a GP tax. This is a co-payment that works in precisely the opposite way in which a fair health system should work.

A fair health system should be based on the principle of fair taxation—the more you earn, the more you pay—and, at the point of delivery, the point of access of the service, everybody should get access to that service. That is the way taxes should work. Senator Seselja is right: health care is not free. It is not free under the current system. If you are a high income earner, you pay more into the system. You pay more into our health care system, and you should be entitled to access it. So this is not a tax; this takes us away from that important principle and moves us closer to a user-pays system in health care, which is both expensive and unfair. You only need to look at the US to see that in action.

What underpins this co-payment is the notion that our health care system is unsustainable. It is simply not borne out by the evidence. We have had inquiries into out-of-pocket health care costs. We have had inquiries into the PBS co-payment. We have had inquiries into the move from private health insurers into the health space in primary care. We have heard the same story over and over again: we have a good health system, it is sustainable, and by world standards people get access to one of the best health care systems in the world.

Let us look at some of those facts. We spend about nine per cent of our GDP on health care. By OECD standards, that is below the average. It is below the OECD average. Health care spending at a Commonwealth level has been stable for more than a decade. I say that again: health care spending by the Commonwealth has been stable as a proportion of GDP for more than a decade. We are on track to have a very small increase in our health care spend over the next 10 years.

The government would have you believe that that is due to health care costs spiralling out of control. Not at all. The small increase—maybe a half to another per cent of GDP on health care over the next decade, taking us to the OECD average—is because people are getting access to new, life-saving treatment. Health care technologies continue to develop all the time and we are in the enviable situation where we are providing people with the means to live longer, healthier and more productive lives. That is not a crisis. That is something to celebrate. If the whole proposition we all believe in, which is that we should strive for...
economic growth and development, is not going to provide the dividend of better health care, then what the hell are we doing in its place?

When you ask people time and time and time again what they want their governments to be spending money on—

Senator Bilyk: Health and education.

Senator DI NATALE: It is health and education. Thank you, Senator Bilyk. People say it time and time again. The whole point of economic progress is to be able to provide people with the means to spend money on the things they value, and that is health and education.

There is a notion that people visit the GP too frequently. Again, this is not borne out by any evidence. It is true that some people visit the doctor unnecessarily—that is, that if they do not visit a doctor their symptoms would resolve and they would not be any worse off because of it. But the whole point of having a trained health workforce is so that people who do not have the means to be able to distinguish between what is a serious symptom and one that is benign can get that advice and reassurance from a trained health professional.

As a former GP, I can tell you that a lot of what we did involved assessing and diagnosing, and providing people with reassurance. That is what the job involves. That is not a wasted visit. That is actually quite important, because the person sitting at home with a pain in their chest and who does not know if it is indigestion or the early signs of a heart attack, needs to have a professional assessment of those symptoms. That is what visiting a GP does. If you put a price barrier in front of a patient, you can be absolutely guaranteed that we will deter some of those necessary visits. The person sitting at home with chest pain and who is worrying, 'Could this be heart attack? No, it is probably indigestion', will be influenced by the fact that they will have to face a charge to see the GP potentially to have a blood test or an X-ray and have their script filled by a doctor—all of which will absolutely deter some of those necessary visits. As a consequence, it will cost our health system more. People will end up in emergency departments and in intensive-care units, because simple, treatable and preventable problems were missed in the first instance. That is why this is such a short-sighted policy.

There are so many things that we can do to improve the efficiency of our health system. We can invest much more in health promotion and illness prevention. We should be doing that. For example, we know from a study by Deakin and Queensland universities that the 20 best prevention strategies, based on good evidence, would cost us about $4 billion and return $11 billion in savings. We know that. Yet, at the same time that we introduce this co-payment, we are dismantling the Preventative Health Agency. It is short-sighted not just in terms of the impact it has on the lives of ordinary people, but because it will cost us money. Also, in medicine we do too many things that are not based on good evidence. We should be funding what works. A lot of what we do adds very little value. There is a big opportunity to start looking at the current Medicare list and reviewing how we fund a number of procedures that add very little value—the number of arthroscopies we do in this country, for example, many of which are unnecessary. We should also look at Vitamin D testing, and the new and complex forms of prostatic surgery. They add very little value but a lot of cost. Of course, this would mean taking on some big interests, but we need to do that if we are going to make our already effective and efficient system more efficient.
We need to make sure that we resist the temptation—the great folly—of assuming that moving towards a user-pays system, introducing a price signal, is going to make the system any more efficient. It will not. You only need to look at the international evidence—to look at those countries that base their health system on fair taxation and universal access versus those that adopt the notion of user-pays in health—to be able to see a recipe not just for a less fair system, which is obviously something I am concerned about, but also a much more expensive system. That is why the US spends double what we do on health care and gets much worse health care as a result.

This is bad policy. It is unfair, inefficient and it must be stopped.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (16:31): I am really pleased that the Senate has decided today to discuss this issue as a matter of public importance, because this issue is one of utmost public importance.

While the Liberal government is pre-occupied with creating knights and dames, and looking to protect hate speech, it is the government's unfair $7 GP tax and their hike in the price of PBS medication that Australians are really concerned about. It is what the people of Australia are talking about with their friends and their families. It is one of the most loathed facets of a budget that is still being talked about four months after it was handed down in May. This government is utterly out of touch with the Australian community. They are utterly out-of-touch with Australian values.

If the Liberal government had campaigned on a platform of introducing a $7 GP tax, protecting hate speech and reinstating knights and dames, the Australian people would not have let the Liberal and National parties anywhere near the government benches. Even if Mr Abbott and his Sydney, North Shore Treasurer Joe Hockey do not understand the devastating impact this will have on the health of those with chronic disease, the mentally ill, the unemployed, seniors and pensioners, the people of Australia do. And the Australian people are very concerned that this government wants to turn Australia into a place where you do not help out a sick mate, and where we turn our back on a fundamental egalitarian belief that quality health care should be available for all, based on need, not income or postcode. Australians do not want an Australia like this.

Recently the Senate Community Affairs References Committee tabled a report into out-of-pocket costs in Australian healthcare. I was pleased to participate in this inquiry and to have the opportunity to speak in this place last week on its report. Senate inquiries are an important part of the process of government, because they are a mechanism to allow expert advice to inform debate on proposed measures.

It was important to hear this expert advice to the Senate Community Affairs Committee, because Mr Abbott did not bother to consult the experts when drafting this ill-informed policy disaster. And the expert advice on the government's $7 GP tax and their $5 hike to pharmaceutical benefit scheme medications was absolutely damning. The inquiry showed that the $7 GP tax is a disastrous thought bubble, which will have a severe impact on the health of pensioners, the poor and the chronically ill.

Submitters and witnesses to this inquiry expressed concern that an increase in out-of-pocket costs in the form of a co-payment for GP services would result in people delaying seeking medical treatment. In its review of health care in Australia, the COAG Reform Council found
that nationally, in 2012-13, 5.8 per cent of people delayed or did not see a GP for financial reasons. That is 5.8 per cent of people—mainly pensioners, the poor and the chronically ill—who have had to choose between eating and having their health looked after. Adding an additional co-payment will only make this situation worse. It will impact disproportionately on individuals with the greatest healthcare needs, including Aboriginal and Torres Strait Islanders, elderly people, women, people on low or fixed incomes, and people with chronic illnesses. It will exacerbate their conditions and increase their suffering. Mr Abbott and the Liberal-Nationals government may not care about the health of people in these groups, or their suffering, but we on this side—the Labor Party—certainly do.

The government says that the $7 tax is to prevent unnecessary visits to the doctor. However, the Royal Australian College of General Practitioners provided the following evidence as to why the policy would not be effective in reducing healthcare costs:

… international studies demonstrate that, with the exception of the most vulnerable patients, there is limited evidence that co-payments actually reduce health service use. The economic rationale for implementing co-payments is further confounded by evidence suggesting that healthcare costs increase due to preventable conditions not being treated and poorer control of chronic disease and greater hospitalisations.

Primary health care is the most efficient part of the health system. It allows for the early diagnosis, management and prevention of disease. Early diagnosis and effective management is extremely economical compared to emergency treatment or continual, ongoing treatment because an illness was not caught early.

The inquiry heard that countries with strong primary healthcare systems report the best health outcomes at the most efficient cost. The AMA told the committee:

Now is not the time to strip money out of primary health care. It is the time to invest in primary care to ensure sustainability of the healthcare system. People need access to general practitioners to know what their healthcare needs are. General practitioners need access to pathology and imaging services in order to diagnose conditions early and put treatment plans in place.

The Royal Australian College of General Practitioners also observed that there is no economic benefit in dissuading patients from seeing their GP. They said:

In fact there is good evidence to suggest that there is a negative economic impact with patients using more expensive health care through the hospital system that could be delivered by general practice at a fraction of the cost. General practice has been, and remains, the most efficient component of the healthcare system, with general practice costs per patient remaining steady over the past 20 years, while hospital costs have continued to rise.

Submitters and witnesses argued in general that co-payments may affect other parts of the health system in a number of ways—for example: by placing increased stress on the public health system, particularly emergency departments, as patients seek hospital treatment to avoid paying a GP co-payment; by shifting responsibility for primary care to community pharmacies; and by reducing the number of patients undertaking all required pathology and diagnostic testing.

This policy is a short-term approach to fix a budget emergency that does not exist. It will lead to more suffering by patients, worse management of disease and more severe and expensive treatment. It is as if this policy were designed to artificially spiral health costs out of control to destroy the viability of our healthcare system. And we all know it is the first step
in the Abbott government's quest to destroy Medicare. The Liberals have abolished Medicare before, so they should not be trusted to protect it into the future.

Submitters to the inquiry also overwhelmingly rejected an increase in the PBS co-payment. An increase in the co-payment for medicines will again lead to worse health outcomes for Australians. The Consumers Health Forum of Australia provided evidence about the impact of the 2005 increase on individuals, saying:

Studies have shown that, following the January 2005 increase in PBS copayments, there was a significant decrease in dispensing volumes observed across 12 of the 17 medicine categories, including anti-epileptic medication, anti-Parkinson's treatments, combination asthma medicines, insulin and osteoporosis treatments. Importantly, we also know that the copayment increase had a particular impact at that time on medicine utilisation by concessional patients.

By increasing the co-payment on medicines again, we will see a decrease in the number of people who are able to afford their medication to treat their chronic illnesses. I shudder to think what would happen to a young person under 30 who has no income because they are unemployed who might need medication. I do not think the other side has thought about the areas this will impact on at all. This will lead to suffering, poorer health outcomes and further increases in emergency treatment for manageable diseases.

As a member of the Senate Community Affairs References Committee, I was also particularly concerned about the evidence given that the $7 GP tax and other proposed government measures would have on my home state of Tasmania. The President of the AMA, Associate Professor Owler, has said:

Tasmania has a higher burden of chronic disease and higher smoking rates, and we need to do more to encourage preventive health care and chronic disease management. That is why I think the co-payment is probably going to affect Tasmanians more than it affects people in other jurisdictions.

I do not see those Liberal senators opposite from Tasmania standing up and saying why they support a policy which will lead to worse health outcomes and suffering for Tasmanians. I would like to see those Tasmanian Liberal senators stand up and say why they support a policy which will lead to longer delays at the Royal Hobart and Launceston General emergency departments. And I would like to see the Liberal senators from Tasmania stand up and say why they support a policy which will lead to the state of Tasmania paying more for its health system while at the same time delivering worse health outcomes.

This government need to start listening to what the Australian people want, not just what their friends in the IPA tell them. We are a generous, caring country. We care about those in our society who need a little bit of extra help. This Abbott government are out of touch and utterly indifferent to the disastrous impacts their GP tax and medicine price hikes will have on pensioners, the poor and the chronically ill.

Senator REYNOLDS (Western Australia) (16:41): I rise to address this matter of public importance that has been raised by Senator Moore on behalf of the Labor Party. As a member of the Senate Community Affairs References Committee, I am happy to speak on this MPI because it provides an opportunity to remind the Senate how, after six years of Labor's waste and inefficiency in health, the coalition is moving to repair the damage and ensure Australia's health system remains effective and sustainable into the future.

Contrary to the assertions of those opposite, this government's measures are laying the foundations for a stronger health system for all Australians. The simple but, I know, very
uncomfortable truth for those opposite is that health expenditure is growing faster than the economy. This is unsustainable for Australian taxpayers. Despite assertions to the contrary by the previous speaker, central to our election campaign was dealing with the budget mess those opposite left us—$123 billion in projected deficit. It does exist, no matter how often they now try to deny it.

I believe all in this place have an obligation on behalf of all Australians to ensure that their taxpayer funds are most effectively and efficiently spent and that the expenditure matches revenue. I believe this is the most responsible approach for all of us in this place to take. The growth in health expenditure has been so rapid that the Commission of Audit saw health as the Commonwealth’s single largest long-term budget challenge. To give you all an example of the exponential rise in the healthcare system, 10 years ago the government spent $8 billion on Medicare. This financial year, the government is spending $20 billion. This is projected to rise to more than $34 billion in 10 years time. Put simply, this is unsustainable growth.

Unlike the previous government, this government are putting in place a number of measures to address this unsustainability and are moving to modernise and strengthen both Medicare and the Pharmaceutical Benefits Scheme. On this side, we are ensuring the continued sustainability of Medicare and ensuring it is able to provide first-class health care to future generations of Australians. Yes, we are asking Australians to make a small contribution to the cost of their own health care, but again I remind those opposite that we were not the first to consider this. In fact, it was the Labor Party that first introduced a Medicare co-payment in 1991.

I listened very closely to the evidence presented at the recent community affairs committee hearings, and I am left wondering if I was at the same hearings as those opposite. In the recent committee inquiry, we heard evidence from a number of stakeholders on the out-of-pocket health costs in Australia. Significantly, we heard from the Australian Medical Association that:

In the decade to 2012–13, the percentage of medical services attracting out-of-pocket costs has either stayed the same or declined. I will say that again: it has stayed the same or declined. That was the evidence from the AMA.

We also heard from the Department of Health. They advised that the proportion of total health expenditure funded by out-of-pocket payments in 2011-12 was largely unchanged from that of a decade ago. That is despite the fact that today in Australia these out-of-pocket expenses include in their definition cosmetic surgery, complementary medicines, complementary therapies and a range of vitamins and supplements. The Department of Health also noted that the largest and fastest growing area of out-of-pocket expenses or costs is in the non-prescription and over-the-counter medicines; this includes complementary medicines and vitamins. These are nearly a third of the total out-of-pocket expenses. Evidence to the community affairs committee also shows that the claim by those opposite, that health care expenditure is increasing dramatically for the average Australian, is simply not true.

I have to address one of the things the previous speaker noted. She was attributing people not going to the doctor or to fill their prescriptions to these proposed changes. The evidence to the community affairs committee hearings was that clearly, that was not the case; there are many reasons people delay filling their prescriptions or going to the doctor.
The government is also ensuring the sustainability of the Pharmaceutical Benefits Scheme. In the last decade alone, the cost of the PBS has increased by a staggering 80 per cent. It is expected to continue to increase by four to five per cent annually. A PBS co-payment is not a new measure. It has existed since the 1960s and Labor has, until now, consistently supported this policy. Again, in the community affairs committee hearings, we heard that the alarmist rhetoric of those opposite was in fact unsupported by the facts. The department advised us that for general patients, the increase amounts to $5 per script and for a concessional patient, 80c per script. The department also advised that this will amount to an average increase per year of $10 for general or non-concessional patients. I will say that again: an increase of $10 for the average, general non-concessional patient and $13.60 for those with a concession card. That is very different from what you have heard from those on the other side of the chamber today.

Most people would agree that this is a small price to pay—I say again, $10 per year or $13.60 per year—for the long-term sustainability of the PBS. Despite what you might believe from what has been said on the other side of the chamber, in the 12 short months since coming to government the coalition has already listed 220 new medicines on the PBS. We are listing medicines twice as fast as the previous government, now averaging over 20 listings per month. This can only be good for Australians. Where previously a patient would have had to pay full price for these medicines, they can now get them through the PBS.

The simple fact is the coalition government is working to ensure the health system is sustainable for future generations of Australians. We are also working towards cleaning up the fiscal mess that was left behind by the Labor government. In opposing the government’s health reform measures, Labor’s irresponsibility in government continues. These reforms proposed by the government will ensure that all Australians have access to world-class health care. This government is committed to ensuring we spend precious health dollars in the most efficient way possible, ensuring every dollar of taxpayers’ money is directed towards improving patient outcomes. We are committed to ending the wasteful and inefficient spending in the health portfolio incurred under the previous government and we are modernising and strengthening the health system for all Australians. The reality is that those on the other side, who created this mess, are now refusing to let us clean it up.

Senator POLLEY (Tasmania) (16:49): I also rise today to speak in relation to this important matter of public interest. After hearing from the other side, what is really happening in health in this country is that we are just continuing on from where Tony Abbott gutted health: when he was minister, he took a billion dollars out of health. That is exactly the road we are heading back down when it comes to this government and their policies on health.

I am speaking because I am really concerned about the impact it is going to have on my home state of Tasmania. This short-sighted tax on GP visits, and the medicine price increases, will hit pensioners, low-income families and those with chronic illnesses particularly hard. Let’s just remember what Tony Abbott said to the Australian people before the election. He promised his government would be a government of no surprises and no excuses—no new taxes and no cuts to health. That is without the promises and commitments he supposedly gave to the Australian people that there would be no cuts to education and no changes in aged care. We all know what happened when it came to aged care—cutting the supplement for those people with the most chronic forms of dementia in this country. What did they do? They
came into this place on 26 June and they cut that supplement without any consultation or discussion with those who provide that invaluable care for the most vulnerable in our community.

It has been proven that every single week over the very long 12 months this government has been in power, they have broken at least one promise. That list of broken promises is continuing. We know that this Prime Minister has ripped up Labor’s historic health and hospitals agreement with the states, slashing more than $50 billion out of the public hospitals. He also wants to slap a $7 tax on everyone who visits a GP, everyone who has a pathology test and everyone who has to have an MRI. This equates to a $3.5 billion tax hike on health. It might be fine for those people on the other side to say, ‘Well, that’s on average $10 or $13 for the Australian people’—but we all know there is no such person as an average person in this country who only spends $10 extra a year on hospitals, or going to visit the GP, or having a prescription filled. The reality, if you get out into the real suburbs of Australia and listen to people, is they will have to make a choice. If they have four children at home and they are all sick—which is generally what happens, because most families are caring and sharing and when they bring something home from school they share it around—what are they going to do? Do they say, ‘Okay, the two youngest can go to the doctor, but we cannot afford for the two eldest children to go’. Or, ’We can’t send mum or dad along to the doctor because we can’t afford it.’ That is the reality of life in the real Australia. I ask those people on the other side, those people who represent the electorate of Bass, Braddon and Lyons—the three amigos who are always talking about writing in to save the world—where are they when it comes to standing up for Tasmanian families? Where are they when those people who can least afford it have to make some very tough decisions about filling their prescriptions? They will say that they already know there are people who have gone into pharmacies and said, ’Look, I cannot afford it if this government is going to continue to raise the price of medicines. I just want to know if I really need to take these tablets every day or can I just take them every second day?’ That is the reality, because people are really fearful. They are really concerned about what impact this budget is going to have on their health and well-being.

Those opposite can try to trivialise it and say it is $10 a week. When you are a family struggling to make ends meet already, that $10, which we know is not a realistic figure, is very important to your weekly budget. Those on the other side of the chamber have decided this in the interests of a supposed budget crisis. It is really interesting that when the minister was in New Zealand recently, he said that the Australian economy was sound and robust. Yet when he is in this country the government wants to put a tax— *(Time expired)*

**Senator RUSTON** (South Australia—Deputy Government Whip in the Senate) (16:54): I rise today to put on the record that it is interesting that we have been hearing a lot of debate from the other side about the badness of this so-called co-payment policy. Even Senator Brown, in her opening remarks, made the comment that it was bad health policy. It is tremendously interesting that it was actually the Labor Party that first introduced a Medicare co-payment, back in 1991. Their current shadow Assistant Treasurer, Andrew Leigh, has strongly advocated for a co-payment. He is quoted as saying:

As economists have shown, the ideal modelling involves a small co-payment. Not enough to put a dent in your weekly budget, but enough to make you think twice before you call the doc.
The idea is hardly radical, so I find it really quite bizarre that we are having this debate right now about the co-payment being such bad policy when it started life as Labor Party policy. In relation to the PBS, it is the same thing. We have had a co-payment on the PBS since 1960. That is 50 years for which we have had a co-payment. Right through this entire time the Labor Party has supported this co-payment measure. In 1986, the Labor government increased the general co-payment on the PBS from $5 to $10—a 100 per cent increase. In 1990, the Labor government introduced for the very first time a PBS co-payment on pensioners. In 2004, the Labor opposition, with Julia Gillard as the shadow health minister, supported a $4.90 increase in the general PBS co-payment and an 80c increase in the concessional PBS co-payment. As you can see from these comments, this is hardly a new thing. This has not been a bolt out of the blue or some radical new policy that nobody has ever heard of or ever considered. The fact remains: why is the coalition government having to introduce any of these policies in the first place? It is simply because we have a budget mess that needs to be fixed.

Everybody would like to think that we could go on in life with universal health care, with universal education and with all these wonderful things that over the last 20 years Australians have come to accept as a given. Unfortunately, the credit card is maxed out. That is exactly what has happened here. The Australian Labor Party, in the six years they were in government, maxed out Australia's credit card. There comes a time when all responsible fiscal managers—and that includes the Greens if they are going to play in this space—realise that we cannot continue to spend beyond our means. When the coalition government came to power in September last year, we realised we had a number of things we had to do. One was to get the budget situation back into some semblance of order. Another thing we realised we needed to do for the long-term benefit of all Australians was to make sure that we have a sustainable ongoing Medicare system. To do that, we obviously had to make some changes, because the rapid growth of expenditure that was occurring in the health space was completely and utterly unsustainable. Those opposite can go on all they like about there not being a budget emergency, but in the medical benefits sphere the growth in spending had gone from $8 billion a decade ago to $20 billion today and was projected to be $34 billion in 10 years time. You do not have to be an economist, like Andrew Leigh, to work out that that is an unsustainable trajectory in terms of growth and the growth in expenditure. What we needed to do, and what we have done, is come up with a policy—it is not a radical new policy, but a policy in the past of those opposite, and one that in some instances is still a policy of those opposite—so that we can build a sustainable long-term medical system, understanding that we have to make sure that it is as affordable today as it was in the past and into the future.

To correct the record in relation to the constant carping about cuts to the health budget: we have not cut the health budget.

Senator Kim Carr: Of course you have.

The President: Order on my left.

Senator Ruston: Funding to the states for hospital services has increased by nine per cent, or $1.3 billion a year, next year. That is not a cut in health spending. In 2015-16, we see a further increase and it continues on over the forward estimates of this government's forward estimates budget. I say to Senator Bilyk, who was carrying on about how people on welfare...
could afford all these things, that the best form of assistance that we can give to those people that are unemployed is to give them a job.

The idea that big government and spending will get us out of this mess has proved over the last six years to be a complete and utter disaster. Big governments and governments spending their way out of an economic disaster zone are no way to correct the economy. The best way that we can help Australians to be better able to afford to pay this small, modest co-payment—

Senator Kim Carr: Modest! On your wage, I suppose it is modest. On a senator's wage, I suppose it is modest.

Senator RUSTON: That is how, Senator Carr—through you, Mr President—it was described by one of your shadow ministers, Mr Andrew Leigh. The best way that we can make co-payments affordable for Australians is not to continue to put the burden on government but to get the economy moving again. If we can put more money in the pockets of these people, they can make their own choices. I do not believe that I am best placed to make decisions on behalf of Australians. I think that Australians are best placed to make decisions on behalf of themselves. It is the height of hypocrisy to be standing here and saying that this 'small, modest co-payment'—to quote Mr Leigh—is some terrible thing. It is absolutely hypocritical! (Time expired)

FIRST SPEECH

The PRESIDENT (17:01): Order! Before I call Senator Lazarus, I remind honourable senators that this is his first speech; therefore, I ask that the usual courtesies be extended to him.

Senator LAZARUS (Queensland—Leader of the Palmer United Party in the Senate) (17:01): Mr President, I would like to inform the chamber that this is my first speech. I am deeply humbled yet incredibly proud to be standing here today to deliver my first speech. I am deeply honoured and thankful to have been elected by the people of Queensland to represent them in the Senate of the Parliament of Australia. I promise the people of Queensland that I will embrace this responsibility with every ounce of energy I can muster, unwavering in my resolve to listen to the concerns of Queenslanders, fight for their rights, act on their needs and deliver outcomes and results which improve their quality of life, enrich and advance their communities, and provide greater opportunities.

Many people assisted me in my journey to this great institution of democracy and today I will endeavour to mention many of them during the course of my speech. They have played a fundamental role in helping me to be the best version of myself and in helping shape the person I am today.

While I now live in Queensland and while I raised my family and played many of my sporting years in Queensland, I am also extremely familiar with Parliament House and the city of Canberra and surrounding areas. I was born into a working-class family in the town of Queanbeyan, just over the border in New South Wales, and spent my younger years growing up and working in and around the area. As a youngster growing up in humble surrounds, my mother Judy, who is here in the gallery today, and my father Pat, who unfortunately has passed, worked hard to give me and my three brothers, Brett, David and Paul, a safe and
fulfilling family environment which was supportive and encouraged us to embrace opportunity. Brett is here in the gallery today.

Our family home was modest: a small three-bedroom, one-bathroom brick home in Queanbeyan. My father Pat worked as a shearer on farms throughout country New South Wales and with the local council as a shiftworker. My mother Judy worked in a registry office during the day and yet managed to take care of the home—and in a house full of boys this was no easy task. She would put dinner on the table and get myself and my brothers to swimming training early in the morning and to football training late in the afternoons. On weekends, my mother would spend her days cutting up oranges, getting myself and my brothers to football games—often four different games every weekend—all located across different parts of Canberra and Queanbeyan. She always did her best to watch all four of us play football, cheering us on and encouraging us, mostly in the bitter icy cold through rain and wind. While small in stature, my mother Judy was big on discipline. She certainly knew how to keep us all in order and we definitely knew when we were in trouble.

Our life was simple and my brothers and I enjoyed a great childhood, often playing football across neighbours' lawns, occasionally breaking windows and getting into trouble. We made our way to and from school and waited for mum to come home from work to cook dinner for us. Some weekends, I would travel with Dad to local farms where he would shear sheep and tail lambs. More often than not, we would go to Pat and Frank Morrison's farm on the outskirts of Queanbeyan. While not experienced, I helped Dad out where I could. On many occasions Dad tried to show me how to shear a sheep, but I deliberately avoided learning the skill. I saw what shearing did to Dad. He would come home from shearing late at night tired, depleted and very sore from the physical work. I had no desire to follow in his footsteps. His shearing work showed me how tough it was to work as a shearer.

Dad had a reputation for being a hoarder. His trips to the tip were legendary. Often on Saturday mornings, Dad would load up the trailer and take things to the dump and come back with more stuff than he took away. Dad's view was that nothing should be wasted, that there is always a purpose for something and, if there were not, he would find one. As a result, we were taught to be careful with money and to value what we had.

I enjoyed school but found it tedious at times. I still remember, to this day, my maths teacher in year 10 telling me that I would never amount to anything. Perhaps I was not the brightest child in his maths class, but what that teacher may not have realised is that, firstly, Australia is a country of opportunity and if you work hard you can achieve anything and, secondly, that people are influenced by the people they meet. I went on to meet many wonderful people in my life who encouraged, inspired, taught, mentored and supported me to grow and succeed. Despite the views of my teacher, I continued to play football on weekends with the Queanbeyan Blues and worked in various jobs.

In my early 20s I was lucky enough to be offered a contract with the Canberra Raiders. Here I met and was coached by Tim Sheens, who is here in the gallery today. Tim took me under his wing and showed a genuine interest in my development and wellbeing as both a player and a person. Tim was a young coach who related to the challenges of raising a young family and playing at an elite level. He was and still is considered to be one of the most knowledgeable on the game. Tim could talk forever about the game. If there were an Olympic event for talking about Rugby League, Tim would win the gold medal hands down. I am
extremely grateful to Tim for his kindness, encouragement and support. Under Tim's leadership at the Canberra Raiders I played in three Rugby League grand finals, winning two of them back to back. I also forged great friendships with many people at the club, including CEO John McIntyre and his wife Anita, and teammate Kevin Walters, who are here today, and Ricky Stuart, who unfortunately cannot be here today due to coaching commitments.

While playing at the Canberra Raiders I also worked at Brian Pollock Motors in a customer liaison role. Here I met wonderful people, including Brian Pollock; one of my biggest supporters, Graeme Young, who sadly is no longer with us, and Ron and Jackie Butler, who are here today. The team at Brian Pollock Motors were incredibly supportive, never missing a Raiders home game. Very few cars were sold on Monday mornings, as the whole sales team took the opportunity to review the game, provide coaching tips and explain how the team could have performed better. It was also at Brian Pollock Motors that I forged a valued and long-term friendship with my good friend Ben Lemmon, who is here today.

Despite sustaining a serious sternum injury in 1991, I was lured to the Brisbane Broncos at the end of the season. This is where my love affair with the state of Queensland began. This is also where I further strengthened my relationship with Wayne Bennett and Kevin Walters. My move to Brisbane was the first time I had moved away from my home town, and I was both nervous and excited. My coach, Wayne Bennett, who is here in the gallery today, embraced my arrival to Brisbane and showed me incredible support. In fact, my young family and I moved into a home only a short distance away from Wayne and his family in Brisbane.

Over the course of time with the Brisbane Broncos I played in two grand finals, winning both of them back to back. Wayne was a calm leader who always provided honest and constructive feedback. He focused on the things that mattered and minimised the things that did not. I soon learned how to hone my determination and where to improve in order to excel as a player and a person. Wayne also respected and understood the need for players to be happy in all aspects of their life in order to perform well on the field and to be successful people in life. Wayne valued the role of family in the club, and the Brisbane Broncos became a very family-friendly environment. In fact, at training often the field was covered with the players' kids, including my own, all running around and having a great time. Club assistant Springer would regularly take all the kids for joy-rides around the field in the trailer he attached to the back of his Ride-on mower to keep the kids occupied while the dads tried to train and prepare for the weekend's game. I took great delight in watching my children Michael and Lauren having fun while I trained.

Wayne fostered a culture of winning and a culture of teamwork. We played for the club, not ourselves. I enjoyed strong support at the Brisbane Broncos and built wonderful friendships with players, the board and the CEO, John Ribot, who unfortunately cannot be here today. It was here that I also forged a great friendship with Chris Johns, who is in the gallery today.

In 1997, while playing in a Super League World Club Challenge game in Wigan, England, I sustained a serious injury, breaking my ankle. In this same year, John Ribot, then Managing Director of the Melbourne Storm, and Chris Johns, then CEO, who had moved to Melbourne to establish the Melbourne Storm franchise, offered me the opportunity to continue my playing career as the Captain of the Melbourne Storm to establish and grow the new Rugby
League club. I am grateful to John and Chris for showing so much faith in me, particularly given my injury. It was an opportunity I will forever hold dear.

I am very proud to have been involved in the establishment of the Melbourne Storm. I worked hard to assist the club and the code to grow the brand and the game across Victoria and forged many wonderful friendships while doing so. I experienced great success at the club, winning another grand final in only the club's second year, as the inaugural captain of the club, an achievement I am very, very proud of. I am also deeply proud to have represented my country and to have taken part in State of Origin. It was also during my time with the code that I met Geoff Carr, CEO of the Australian Rugby League at the time. Geoff showed me incredible support and I am grateful to Geoff for his support and leadership over the years. The game is in a better place thanks to Geoff's genuine concern for the players involved, and Geoff is here today.

Retirement from rugby league at the age of 34 was difficult. My heart and my brain desperately wanted to continue on as a player; however, my body did not. Many years of playing at elite level, sustaining serious as well as minor injuries, had taken its toll on my body. I loved every minute of my time with the game and was blessed to have achieved so much success in my playing years. I am so grateful to have met so many wonderful people who are still very dear friends today.

Rugby League truly is one of Australia's greatest sports and epitomises the spirit of being Australian. Once retired, I did miss the team environment and the winning culture. I moved back to Brisbane via Canberra and enjoyed many years working in the media while still maintaining my involvement in Rugby League in different capacities. It was also during my brief period with Canberra coaching that my youngest son, Hayden, earned the nickname 'the paver' because he was not quite a brick yet, although if you have seen him he is now the size of a besser block! During my time working with the media I met and built one of my most cherished friendships with dear friend Mark Braybrook. Mark and his wife Amanda are here in the gallery today.

Rugby League has been wonderful to me and my family. The Rugby League fraternity is one of the most supportive and tight-knit communities. In fact, it was a member of the Rugby League community that brought Clive Palmer and I together. Rugby League legend Ron Coote recommended to Clive that I would be a good acquisition for the Palmer United Party.

Receiving a phone call from Clive Palmer in May 2013 inviting me to join him in building a new party was a surreal and life-changing moment. Clive made it clear that he would like to provide Australia with a real voice comprised of real Australians concerned about the direction in which our country is headed, with the will to make a difference and the courage to follow through for the betterment of all Australians, without the constraints of party policy, and that he would like me to join him. Those that know me know I do not make decisions lightly. I put time into decisions, I weight things up, I look at the pros and cons and, importantly, I consider whether I am able to fulfil what is needed of me, as I like to succeed and know that I am able to put everything into what I am committing to. But Clive was convincing, and the rest, as they say, is history.

Not only has Clive personally shown me the most extraordinary support, guidance and patience; he has also provided exemplary leadership and courage in the face of what has been one of the most tumultuous and significant periods of change in the history of Australian
politics. I would like to thank Clive for his unwavering support and for the trust in me. Clive has welcomed me into his life and his family. Clive is here with us today.

I am also grateful to my staff; the entire team at Palmer United as well as my fellow PUP senators, Jacqui Lambie and Dio Wang; and the PUP Queensland federal candidates for their support and hard work. Many of the Palmer United team are here today.

Australia is a wonderful country personified by the spirit of the Anzacs. The Anzac spirit encapsulates the ideals of courage, endurance and mateship. The Anzacs knew and understood that under no circumstances would you ever leave a mate behind and that you take care of the sick and the injured. The fabric of this country was built on this very precedent. It is the Australian way to take care of the sick and needy, people who have fallen on hard times and people who through no fault of their own are doing it tough. I am deeply concerned that we are losing our way and forgetting the importance of the great sacrifices made by the Anzacs to provide safety, security and freedom to our great nation. We must fight hard every day to practise and live the principles of the Anzacs for this is the Australian way.

My friend and mentor, Wayne Bennett, once said: 'You have a choice in life. You can sit back and criticise or you can try and make a difference.' Today, drawing on all my life experience as an Australian and a family man who has raised children, worked in many industries, delivered milk to households in bottles as a young boy as part of my milk rout, tailed lambs with my dad to stop lambs being fly blown, delivered The Queanbeyan Age to the residents of Queanbeyan, worked as a service adviser in a car dealership, played sport at the elite level and represented my country, I will emulate the words of Wayne Bennett because I want to make a difference. I want to continue to represent my country and I want the best for Queensland.

Australia needs politicians who understand the real struggles and hardships of ordinary Australians. Australia needs people with the courage, will, desire and genuine commitment to speak up and act with integrity; who are in touch with the real Australians; and have the ability to put aside their fear of failure and ridicule in order to bring about changes regardless of the personal hardships or consequences this may bring on themselves. Nelson Mandela once said:

I learned that courage was not the absence of fear, but the triumph over it. The brave man is not he who does not feel afraid, but he who conquers that fear.

And I am not afraid to tell you that I am scared—scared of the personal attacks and the ridicule that I will attract in my role, scared of the mistakes I may make in my efforts to be the best version of myself as a proudly elected senator for Queensland. But I am prepared to put this fear aside and say the things which must be said and to do the things which must be done if I am to help grow out great nation and reverse some of the wrongs of current and previous governments because Australians deserve better.

I understand success and that sacrifice is necessary to win. I played rugby league at the highest professional level for many years. While my sporting career included many highs, it also included many injuries—injuries which affect my mobility today. Sport and recreation has always been a big part of my life even though you would not think so looking at me! While respected for our love of sport, Australia is today ranked as one of the fattest nations in the developed world. Integrated awareness, education and assistance campaigns are needed to support the community to change. Clearly, Australia needs tax incentives, concessions and
other types of incentives to influence behaviour and consumption and to encourage participation in sport and recreational activities.

While travelling around Queensland during my campaign for the federal election in 2013, I visited every electorate in Queensland. Queensland, once the Sunshine State of Australia in weather, lifestyle and economic prosperity, today is a state on its knees, desperate for real leadership and solutions. Drought, natural disasters and increasing costs for farmers, producers and businesses such as from power, government fees, taxes, labour, insurance and other input costs are crippling our great state. Government red tape and slow, erratic and often questionable decision making is also affecting businesses and consumer confidence. We are losing farmers everywhere. Much of our state is in drought, and yet few people are really doing anything to help. Our farmers are being crippled by supermarket duopolies. Queensland has lost over 100 dairy farmers since Coles initiated the milk price war in 2011.

We should not be proud of this. As an Australian I am saddened that our country is treating our farmers this way. Food security is a national issue. We have the largest percentage of productive land of any country across the world, and we should be supporting our farmers and producers to feed our own country as well as expand our food export capabilities, not stand idly by and watch our farmers and growers decimated by inaction, weather, subpar infrastructure, poor economic conditions and ruthless corporate greed.

Sugar cane is a major industry for Queensland, and there are some 4,000 cane growers in Queensland, mostly Australian family owned businesses. Cane growers rely on mills to process their cane. There are 23 mills in Queensland, and only a handful are owned by Australian companies. The rest are foreign owned. Cane growers are now facing challenges dealing with the foreign owned mills which growers feel are crippling their businesses and the industry.

Is this the Australia that we want? Is this the Australia that our Anzacs fought and died for? The answer, I think, is no, and we must change things. I do not care if I am not politically correct. We spend so much time worrying about politically correct and saying the right thing that we lose sight of the real problems affecting our country, the challenges of real Australians on the land. We ignore the real issues because we are scared of saying the wrong thing.

Across Queensland and, indeed, the rest of the country, Australian businesses are being decimated by the importation of overseas products into our country which are being sold at much cheaper prices—prices which our businesses cannot compete with, because many overseas countries have much lower wage rates, lower levels of compliance, lower levels of safety and quality and cheaper costs of production. Hardworking Australians are hurting. Current food labelling does not fully support the promotion of Australian grown or produced food. A government advocacy agency for farmers, growers and producers needs to be established to identify what type of support is needed so it can be provided before more of our farmers are lost. The advocate also needs to be part of negotiations to ensure that our farmers are not crucified by ruthless and greedy corporate practices.

Some in rugby league circles believe that, if South Sydney, a foundation club with a massive fan base, is doing well, the game of rugby league is doing well. The same analogy, I believe, could be used for Australia. If rural and regional Australia is doing well, so is the rest of the country. Queensland has the largest area of agricultural land of any Australian state and the highest proportion dedicated to agriculture. Tens of thousands of businesses carry out
agricultural activity in Queensland and the industry contributes more than $10 billion to the state's economy each year.

More needs to be done to support Queensland businesses. In Queensland we are suffering from high unemployment levels. The real rate is much higher than many other states. Youth unemployment is extremely high—over 20 per cent in many parts of Queensland. Young people have lost hope and fear for their future. Queensland needs solutions. Australians are losing faith in politicians and want change. The Palmer United Party is delivering change and our support is growing. I have a lot to do in my role as a representative for the people of Queensland. While I have achieved much in my life, there is clearly much more to do—and I am up for the task.

In closing, I would like to thank my beautiful mum, Judy, who is here with her good friend Carmel Leary; my late father, Francis Patrick Lazarus; my brothers, Brett, David and Paul; my wonderful and incredibly supportive mother-in-law, Valerie Sanders; my wife and life partner, Tess; and our three gorgeous children, Michael, Lauren and Hayden, whom I love very, very much. I am extremely proud of my children and grateful to my family for their unconditional love and unrelenting support. Thank you.

BILLS

Minerals Resource Rent Tax Repeal and Other Measures Bill 2014
Explanationary Memorandum


COMMITTEES

Public Works Committee
Report

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (17:29): At the request of the Parliamentary Standing Committee on Public Works, I present report No. 5 of 2014—referrals made June 2014.

Human Rights Committee
Report

Senator SMITH (Western Australia) (17:28): On behalf of the Parliamentary Joint Committee on Human Rights, I present the 11th 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.

I rise to speak to the tabling of the 11th report of the 44th Parliament of the Parliamentary Joint Committee on Human Rights. The committee considered four bills. Of these four bills, one does not require further scrutiny as it is compatible with human rights. The committee has decided to further defer its consideration of three bills. The committee has not identified any
bills that it considers require further examination and for which it will seek further information. The committee has also examined and made a number of recommendations in relation to one act previously identified as potentially giving rise to human rights concerns.

Of the bills considered, those which are scheduled for debate during the sitting week commencing 1 September 2014 include: the Business Services Wage Assessment Tool Payment Scheme Bill 2014, the Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014 and the Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014. The report outlines the committee's assessment of the compatibility of these bills with human rights. With these comments, I commend the committee's 11th report of the 44th Parliament to the Senate.

Senator McKENZIE (Victoria) (17:30): I would also like to talk on this report of the Parliamentary Joint Committee on Human Rights and specifically mention the bills that Senator Smith raised that do not need any further examination. It is in light of some cheap political points that the opposition are attempting to score on child care. Just in case there is any ambiguity, the committee response to the very detailed evidence provided to the committee on the childcare bills from the assistant minister ends:

The committee thanks the Assistant Minister for Education—Sussan Ley—for her response. In light of the information received, the committee considers the measure to be compatible with human rights and has concluded its examination of the measure. I commend the minister for her comprehensive response to the committee.

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.

Departmental and Agency Contracts
Tabling

The Clerk: Documents are tabled in accordance with the continuing orders of the Senate on departmental and agency files and contracts.

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

COMMITTEES
Select Committee on Health
Membership

Senator FIERRAVANTI-WELLS (New South Wales—Parliamentary Secretary to the Minister for Social Services) (17:32): by leave—I move:

That Senator Rhiannon replace Senator Di Natale on the Select Committee on Health for 15 September and 16 September 2014, and Senator Di Natale be appointed as a participating member of the committee.

CHAMBER
Question agreed to.

**BILLS**

**Australian Renewable Energy Agency (Repeal) Bill 2014**

**First Reading**

Bill received from the House of Representatives.

**Senator FIERRAVANTI-WELLS** (New South Wales—Parliamentary Secretary to the Minister for Social Services) (17:33): 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 FIERRAVANTI-WELLS** (New South Wales—Parliamentary Secretary to the Minister for Social Services) (17:33): 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—*

**Introduction**

The purpose of the Australian Renewable Energy Agency (Repeal) Bill 2014 is to repeal the *Australian Renewable Energy Agency Act 2011* (the Act).

Australia is blessed with a diverse energy mix. Along with the traditional energy sources such as coal, which has powered our economy and our society for decades, we also have rich gas reserves which supply domestic power and through our exports make Australia an energy superpower.

Renewable energy also plays a role in our energy mix.

Ensuring Australia's energy security and addressing long-term questions relating to energy policy are a key priority for the Australian Government.

Australia is making significant investments in renewable energy.

$1 billion dollars of taxpayer funds have already been committed to nearly 200 ARENA projects across a suite of renewable energy types.

Industry has matched this investment with a further $1.8 billion, taking the investment in Australian renewables to a total of $2.8 billion as a result of the programme.

This is a very significant amount of money and comes on top of direct and indirect support that has occurred through the Renewable Energy Target scheme and various other state and territory renewable energy schemes.

The Government has been very clear that we are facing a Budget emergency and savings have to be achieved to return the Budget to surplus.

Passage of the Bill will transfer management and decision-making on Australian Renewable Energy Agency (ARENA) functions to the Minister and Department of Industry.

It is anticipated to deliver savings of almost $1.3 billion, as identified in the 2014-15 Budget.

The investments of more than $1 billion in projects will continue under this new arrangement. Contrary to what some may claim, Australia is not walking away from renewable energy.
I'll say again—$1 billion in taxpayers' funds, and another $1.8 billion in private funds has been invested in renewable energy projects under the ARENA banner.

By any definition, in any industry, that's a lot of skin in the game.

Established on 1 July 2012, ARENA's objectives were to improve the competitiveness and increase the supply of renewable energy and related technologies.

Financial assistance, largely through grants, has been provided to nearly 200 renewable energy developments including the construction of renewable energy projects, the research and development of various technologies and methods of deployment, and activities to capture and share knowledge gained through all these projects to advance the sector towards full commerciality.

ARENA has made significant progress towards achieving its objectives.

The investments have been made to support renewable energy projects across all stages of the innovation chain – from research in the laboratory to large scale technology demonstration projects.

The total value of these projects is around $2.8 billion. Some examples of projects currently being supported by ARENA include:

- the large solar photovoltaic project by AGL at Nyngan and Broken Hill—the largest solar project in Australia—a project that was granted $166million of taxpayer funds through ARENA;
- the Carnegie wave energy project offshore from Garden Island in West Australia—a project currently at demonstration phase that has received ARENA funding totaling $13 million;
- the King Island Renewable Energy Integration Project which uses a unique combination of several renewable technologies and has benefitted from over $6 million of ARENA funding; and
- a facility at James Cook University that received $5 million to demonstrate biocrude production from seaweed.

The Government is keen to see outcomes from these and the many other projects currently funded under ARENA.

I would like to take the opportunity to thank the CEO of ARENA—Ivor Frischknecht, the Chair of the ARENA Board Greg Bourne and the three other Board Members Dr Brian Spalding, Judith Smith, and Betsy Donaghey who have been thoroughly professional in executing their duties under the ARENA Act. Under the Board's direction, ARENA has played an important role of increasing the competitiveness of technologies and the supply of renewable energy in Australia.

The Government will be ensuring that each project is well managed, meeting its' contracted milestones and contributing to the advancement of an industry that has seen considerable Government and customer funded investment in recent years.

This Government believes in providing the policy framework where Australian businesses can grow and compete in an increasingly competitive global marketplace without relying on hand-outs.

We will be ensuring that $1 billion of existing investment and the knowledge shared as a result of this investment gets us closer to this goal.

This focus over the life of these projects will be to make sure that the investments that are already made help progress the renewable energy industry.

Delivering on these projects will allow Australia to take a pragmatic approach, focussing our capabilities to ensure that Australia is well positioned to take up technologies that work as they become commercial.

This Government supports renewable energy and acknowledges the important role it plays in Australia's diverse energy mix.

And this Government is making the tough choices to address Labor's debt and deficit disaster, returning $1.3 billion to the Budget as a result of this Bill.
But despite Labor's appalling record in managing the country's finances over their six years in Government, we still want to ensure the $1 billion of Government investments in the renewable energy industry provide projects with every chance to succeed to help advance the industry.

**Specifics of the Bill**

I now turn to the specific aspects of the Bill.

The Bill repeals the *Australian Renewable Energy Agency Act 2011*.

The Bill provides for the transfer of all of ARENA existing contracts and commitments to the Commonwealth, with the Department of Industry to assume management on the commencement of this Bill.

Those applications for financial assistance from ARENA which are undecided by the commencement time will lapse.

This Government supports the energy and resources sector. It is one our economy's most significant drivers of jobs, private sector investment and national revenue.

We recognise and value the sector's depth and its diversity and will continue to build a long-term framework that will seize our advantages, build on our strengths and consolidate Australia's global standing as an energy superpower.

**The ACTING DEPUTY PRESIDENT (Senator Sterle):** In accordance with standing order 115(3), further consideration of this bill is adjourned till 4 September 2014.

**Military Rehabilitation and Compensation Amendment Bill 2014**

**First Reading**

Bill received from the House of Representatives.

Senator FIERRAVANTI-WELLS (New South Wales—Parliamentary Secretary to the Minister for Social Services) (17:34): 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 FIERRAVANTI-WELLS (New South Wales—Parliamentary Secretary to the Minister for Social Services) (17:34): 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—

I am pleased to present legislation that will benefit members and former members of the Australian Defence Force.

As a result of the Review of Military Compensation Arrangements, a new methodology was implemented from 1 July 2013, to calculate the amount of permanent impairment compensation payable under the Military Rehabilitation and Compensation Act (MRCA).

This new methodology applies to persons who have an injury or disease already accepted under the Veterans' Entitlements Act (VEA) or the Safety, Rehabilitation and Compensation Act (SRCA).
Under these circumstances, the compensation payable under the MRCA is assessed taking account of conditions accepted under the VEA and/or the SRCA, to ensure that any compensation paid is assessed on a whole of person basis.

This compensation is referred to as transitional permanent impairment compensation.

The Bill will enable the Military Rehabilitation and Compensation Commission to retrospectively apply the new methodology resulting from the Review of Military Compensation Arrangements in circumstances prevented by the current legislation.

This is expected to result in an increased amount of MRCA compensation for some recipients. It should be noted that the retrospective recalculation is being undertaken on the basis that no person would be disadvantaged.

Where the new calculation would result in a lesser amount of MRCA compensation, the amount of the person's MRCA compensation would be maintained at the existing amount.

The Military Rehabilitation and Compensation Commission began the retrospective recalculations for transitional permanent impairment compensation in January of this year.

This highlighted a technical barrier in the existing legislation that prevents the retrospective recalculation of transitional permanent impairment compensation in certain circumstances.

These circumstances are where the person's claim for permanent impairment compensation was the subject of a claimant initiated review by the Military Rehabilitation and Compensation Commission, or a review by the Veterans' Review Board or the Administrative Appeals Tribunal.

Under the existing legislation, the Military Rehabilitation and Compensation Commission has no power to reconsider these decisions.

This meant that the MRCA requires amendment to enable the new methodology to be retrospectively applied to recalculate the amount of permanent impairment compensation payable in these circumstances.

The amendments in this Bill will enable the Military Rehabilitation and Compensation Commission to complete these reviews.

The Military Rehabilitation and Compensation Act has now been in operation for 10 years.

The Act commenced on 1 July 2004 and was the first compensation legislation designed to cover the whole spectrum of military service.

The amendments in this Bill are an example of the ongoing fine-tuning that is necessary to ensure the Military Rehabilitation and Compensation Act continues to serve the needs of those who serve.

Debate adjourned.

COMMITTEES

Legal and Constitutional Affairs Legislation Committee

Report

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (17:35): On behalf of the Chair of the Legal and Constitutional Affairs Legislation Committee, Senator Macdonald, I present the report of the committee on the provisions of the Crimes Legislation Amendment (Psychoactive Substances and Other Measures) Bill 2014, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.
Community Affairs References Committee

Report

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:36): It is with great pleasure that I present the report of the Community Affairs References Committee on speech pathology services, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator SIEWERT: by leave—I move:

That the Senate take note of the report.

This report would not have happened if it had not been for the particular work of Speech Pathology Australia, who were so dedicated in working with and briefing the Community Affairs References Committee on the issues that need to be looked at, and their dedication and concern for speech pathology services in Australia. I bet you many Australians just do not appreciate what speech pathology entails in this country and why it is so important. Through the committee process it has become an extremely apparent that speech pathology and communication and language disorders are absolutely critical to people's life outcomes—absolutely critical. I see this report as probably the matching pair to the report that the committee did on hearing services in Australia. Our report on hearing services highlighted the impact hearing impairment as deafness has on people's life outcomes, as do a person's ability to communicate verbally. It is absolutely fundamental to a person's development and wellbeing.

The committee report makes 10 recommendations. But before I start on outlining some of those recommendations and our findings, I want to make sure that I have time to acknowledge the work that Speech Pathology Australia has put into this inquiry and thank the many professionals in the speech pathology area that we spoke to, parents, older people and people suffering from aphasia who contributed, making sure that we had full access to information. I also want to thank those people who hosted us on various site visits, and I will come to that in a minute. I also protect the want to point out the committee secretariat, who, as per usual and once again went above and beyond the call of duty. In particular, our secretary, Janet Radcliffe, and also Richard Grant, who have done us proud in the work they have produced from the wealth very good quality submissions that we received, from people's personal experiences, and from the Hansard evidence—pulling out what were the main issues.

I cannot highlight enough how important it is that we do in this country address issues associated with speech pathology. In fact, recommendation 10 is that the federal government:

… work with state and territory governments, consider the costs to the individual and to society of failing to intervene in a timely and effective way to address speech and language disorders in Australia and address these issues in the development of relevant policies and programs.

In other words, speech pathology and its implications and communication disorders need to be considered when the government is making policy decisions. It is that fundamentally important. Recommendation 10 also states:

The committee recommends that the federal government work with state and territory governments and stakeholders to ensure that parents and carers have access to information about the significance of speech and language disorders and the services that they can access to address them.
What became very apparent during our inquiry is that we need to ensure that we have early intervention services in place.

We visited the Australian Stuttering Research Centre, for example. We learned that if you can have early intervention for a child who is stuttering by the age of six, that child cannot only get over the stuttering but will actually never remember that they stuttered. We also learned about the severe impacts on emotional and social wellbeing and the mental illness that can result if people do not get the sorts of early intervention and treatment for the speech disorders. We learnt that if a child between six and nine can get assistance for their stuttering, for example, that the child is likely to be successful in completely overcoming their stutter. After that you can learn to manage your stutter, but you to practice every day and the longer they go without the support that they need, the more impact it can have for their life outcomes.

The Community Affairs Committee always focuses on the data, because it is so important. Our committee also found out that there is not a lot of data. Several of our recommendations are about the need for data. We do not have a good handle on the demand for speech pathology services in this country. We have made a series of recommendations around that. We also do not have a good handle on the supply of speech pathologists and we also need to be looking at that.

I would like to take a couple of moments to address the issues that we learned, particularly from site visits. We went to see Melbourne Youth Justice Centre in Parkville in Melbourne. I thank the principal of the school, which is an award-winning a school in that centre. We were told that over 50 per cent of the young people who are in that juvenile justice centre have some form of speech pathology, language learning and communication disorder that would actually qualify them for support. There was another group of people there that had some form of speech and language disorder that did not qualify them for support but that needed to be dealt with. If these numbers in the prevalence of the disorder in the juvenile justice system is the same in other juvenile justice centres—and we do not know, but we need to know—you have to think: what impact has that speech and learning disorder had on that young person’s life outcomes?

We also learnt about the number of older workers in manual industries who have speech and language disorders and were never properly supported when they were young people. Imagine what their life outcomes could have been if they had actually had early intervention.

The point that is raised through that is the number of people that are falling out of manual employment who have never had the support that they need for their speech pathology. It is really an extremely important issue that we need at a national level to be looking at—not only national, but at the state and territory level. So we have made a number of recommendations about the need to investigate people's access to speech pathology services.

We also looked at the availability of services in each state, and they varied. This is also a concerning thing: access varies and qualification varies. There are very long waiting lists for publicly available speech pathology services and, in many instances, very long waiting lists for privately available speech pathology services. Unfortunately, privately available speech pathology services are very expensive and that can be a barrier to people being able to access speech pathology services. We also went to—and I am sure Senator Moore will talk a bit more about this, because it is in her home state, the Glenleighden School—
Senator Moore: You're quite right.

Senator SIEWERT: For those listening, Senator Moore said, 'Quite right.' She will be talking about it. We saw what an excellent job that school does. We heard from the parents of the students who go to that school about the early intervention, the quality focus on early education and speech pathology services being integrated into their learning and what a difference that makes to people's life outcomes. Access to speech pathology services can change someone's life outcomes, and that is why the government needs to look at how these services can be provided, what the demand is and where people are able to access these services.

In our report, we also have a very interesting map, which maps access to speech pathology services against the early development index—and it is quite frightening. That map is just for Melbourne, not Victoria. We are recommending that that sort of information be gathered for all Australian states so that we do make sure that we are able to supply access to quality speech pathology services.

I really do encourage all senators and all members of parliament to read this report to get an understanding of the importance of these speech pathology services for communication and language disorders. It really is critical that we deal with this issue.

Senator CAROL BROWN (Tasmania) (17:47): I rise to speak on the Community Affairs References Committee report on the inquiry into the prevalence of different types of speech, language and communication disorders and speech pathology services in Australia. The inquiry looked at the dimensions of speech and swallowing disorders in Australia and the prevalence amongst specific groups as well as the demand for and the delivery of services. The committee report makes a total of 10 recommendations. The most significant of these recommendations is the last one, which states:

The committee recommends that the federal government working with state and territory governments, consider the costs to the individual and to society of failing to intervene in a timely and effective way to address speech and language disorders in Australia and address these issues in the development of relevant policies and programs.

The committee recommends that the federal government work with state and territory governments and stakeholders to ensure that parents and carers have access to information about the significance of speech and language disorders and the services that they can access to address them.

This recommendation reflects the evidence presented to the committee on the importance of verbal communication for a person's development and wellbeing. Evidence presented to the committee shows that a speech, language or communication disorder can have a significant impact on a person's health, wellbeing, education and employment outcomes.

In relation to my home state of Tasmania, the committee heard that the state government employs approximately 39.7 full-time equivalent speech pathologists. These employees work across the state. The Tasmanian Department of Health and Human Services gave evidence to the committee and identified a number of gaps in the provision of speech pathology services in Tasmania. Specifically, the department noted a significant gap in the lack of locally based services in the northern half of the east coast. The department added, however, that, in areas with limited access to speech pathology services, video and teleconferencing is utilised to improve timeliness of access to services. A significant service gap was also identified in the area of the juvenile justice system in Tasmania. The department stated:
Youth offenders are complex and challenging for policymakers and practitioners alike and face high risks for long-term disadvantage and social marginalisation.

Other significant service gaps were noted in the aged care sector and in cancer care, Aboriginal services and community services in the north of the state.

As part of this inquiry the committee also had the opportunity to conduct several site visits. I had the opportunity to visit the Australian Stuttering Research Centre at the University of Sydney. Research at the ASRC is facilitated by close collaboration with the stuttering unit within the Bankstown health service, which is a specialist treatment facility located nearby. As well as collaborating in research, the ASRC and the stuttering unit, along with Macquarie University, conduct a program of continuing professional education in stuttering. The centre's director, Professor Mark Onslow, emphasised the importance of early intervention in addressing a child's stuttering. Professor Onslow spoke to the committee about the high success rate of early intervention and the long-term benefits of intervention. Professor Onslow explained that these interventions not only benefited the individual's health and wellbeing but society as a whole. Some of the most compelling evidence heard by the committee was from individuals diagnosed with and treated for speech language and communication disorders. The committee heard of the barriers that people face in employment, in education and in everyday life—the time, money and commitment needed to access vital services and supports.

I would encourage senators to read some of the evidence and submissions by people who experience language, speech and communication disorders. As a member of the committee, I particularly thank those people for their contribution to this inquiry. In her evidence to the committee, Georgia Cranko, a university student who lives with a communication disability, said:

Even though, to all intents and purposes, I am a successful communicator who has had access to a decent mainstream education, I still feel my opportunities and quality of life are impacted by the fact that I am non-verbal. But I am using this opportunity to ask for more support for communication specialists, including speech pathologists, who can help facilitate greater educational opportunities. That will give those of us who have little or no speech a greater opportunity to be heard, thus giving us agency over our lives and our ability to contribute to society at large.

That is exactly what this committee report is about. It is the first time that a federal parliamentary committee has focused on the availability and adequacy of speech pathology services in Australia. For the first time, we have heard about the barriers faced by people living with these disorders and the importance of intervention and supports. It was also the first time that many of the individuals living with these conditions, as well as their families and carers, have had the opportunity to have their voices heard by parliament and considered by the government.

I would also like to acknowledge the contribution of Speech Pathology Australia. Speech Pathology Australia has provided the committee with invaluable assistance and guidance throughout the inquiry process. The evidence to the committee from over 300 submissions and four days of public hearings made it clear that failing to treat childhood speech, language and communication disorders contributes to significant lifelong problems. The committee heard evidence of the range of problems that people living with these disorders face, including limited employment options often leading to periods of unemployment, a
dependency on welfare, the psychological and emotional distress to the sufferer, their family and carers, and in many cases interactions with the justice system.

The committee also heard evidence about the lack of reliable data in the area. Access to data is vital for policy makers in government to understand the dimensions of the issue and frame an appropriate response. Policy developers are limited by the lack of reliable national data, including on the prevalence of speech and communication disorders and the demand for pathology services. The evidence has also made it clear that the demand for speech pathology services in Australia outstrips supply of these services. Many submitters identified the NDIS as a driver of increased demand for speech pathology services. Given the evidence on the impact, it is vital that the Commonwealth, state and territory governments work together with key stakeholders to address the issues identified in this report. I commend the report to the Senate and the government.

Senator MOORE (Queensland) (17:54): In June 2011, the Speech Pathology Australia National President Ms Christine Stone first contacted the Community Affairs References Committee. At that time, there was a request for more consideration of the need for speech pathology services across Australia. There was also a desperate plea for coordinated research into the need and location of speech therapy services so that our country can respond with an effective plan to address that need and to ensure that we maintain the highest quality of speech pathology in our nation.

I want to put on record my absolute admiration of and appreciation for the tenacious efforts of SPA, who never let up. From June 2011 to when we finally got this inquiry on the road in December 2013, there was regular contact. Case studies and information were forwarded by SPA to reassure the committee that there was a need for this work and also to highlight the professional qualities of the industry in Australia. Through the committee, we saw the fruits of that work. Over the period of the hearings, we saw the lifelong impact of the need for communication. The committee begins with an overview, and it states:

The capacity to communicate verbally is fundamental to a person's development and wellbeing. The ability to learn effectively, to form meaningful and supportive relationships, to influence others, and to obtain and maintain employment can be significantly affected if a person is unable to verbally communicate.

We tend to take that for granted but through the work that we did, through the submissions we received and as a result of the enthusiasm with which people came to see our committee as though they had been waiting for the opportunity to share their knowledge, to share their experience and to share their demands, it became clear that the need greatly outstrips the available services. Even more than the need, the accessibility of the services was highlighted consistently across evidence from all states and from the professionals working in the area. We have come away from this committee absolutely assured that there is a need for much more work.

Our committee usually has many recommendations. In this inquiry we had 10 recommendations, but I can assure the Senate that they are big ones. There is a great deal of detail in them, and they call for effective research into how we can establish what the needs of the community are, how we can best look at matching those needs to a professional workforce and how we can use resources across the country—both at the state and federal levels—to get the best knowledge and put in place a plan to meet the demand for effective communication.
support. One of the most confronting aspects of the inquiry was the fact that the need is so diverse and so great. We heard from schoolchildren, people who are looking for work and victims of illnesses such as stroke and acquired brain injury. All of them had quite specialised needs for the skills of trained speech pathologists. Their needs were different but there was a commonality.

Throughout the process, the services available in Australia, and when people could access them, were widely praised. There was genuine admiration and respect for the quality of speech pathologists across the country and for the services they provided, but the need was not being met because there was not sufficient service across the board. It was heartbreaking to see the terror with which people approached our committee, telling us that they had need, they knew they had need but they could not afford the services to make their lives and the lives of their families, the lives of their children, better. Their cries are a challenge for all of us that we cannot turn away from.

I want to mention the wonderful work of Speech Pathology Australia. They shared information with us, they provided academic research to us and they gave us referrals so we could talk more closely with families and organisations where there was need.

Senator Siewert has pointed out that I will speak about Glenleighden School. I have spoken in this place several times before about this wonderful facility in Queensland. The sadness is that there is but one Glenleighden. There are no similar places anywhere else in the country that look at the particular needs of students with communication issues. The students who go to that school come from a wide range of backgrounds and have a wide range of conditions, but their core need is for effective support in communication through a range of therapies, led by a need for effective speech therapy.

We had a session at Glenleighden, and I want to put on record my continuing thanks to Ms Cae Ashton and her team at the school, who gathered together a number of parents who gave up their time to come and speak to us. These parents told us a little bit about what their lives entailed, their feelings about the desperate needs of their children and the difference that going to Glenleighden makes. I will never forget that session, and I am a pretty regular visitor to Glenleighden. We were given the opportunity to have mums and dads who expressed their desires for their children and also the sacrifices that they had made to ensure that their kids could receive the services provided at the school. People had actually moved states, they had moved homes, so that they could have the services of Glenleighden. I put on record my continuing thanks for that.

We also had the opportunity in Brisbane to have a public hearing. Again being quite parochial, Senator Siewert, I will mention some of my mates who gave evidence at that hearing, in particular, people from the Centre for Clinical Research Excellence in Aphasia Rehabilitation. Over the last few years, I have got to know a number of people who are members of Aphasia Queensland. These people have had, as a result mostly of stroke but sometimes of brain injury, severe communication issues, issues that have hindered their ability to rehabilitate and to re-communicate with family and friends. In particular, I thank Wendy and Paul Corp, a wonderful couple. Mrs Corp has had a stroke event, and her partner Paul has worked with her as she rebuilds her skills and her confidence. This couple was determined to come to our inquiry to talk to us about the value of effective therapy, the particular value of the LIFT program at the University of Queensland, which is an exhausting
program over days of intensive work, at the end of which there is a real difference. People are able to communicate more freely and more confidently and are then able to rebuild to make the most of their lives.

Other senators have spoken about other site visits. We need to thank those people for coming to talk with us and to reinforce the need that Speech Pathology Australia shared with us in 2011. The services are extraordinary. The need is great. But we as a nation have a responsibility to ensure that the services that are available to some are available to all, because we know it makes a difference. I hope to be able to speak many times in this place and pick up on some of the issues that came out through the people we met. The important thing now is that this particular report is taken up by governments so that together they can identify the needs that they have to ensure that services are effectively identified and resourced. We need to continue to ensure that those communication needs are met, that the personal cost to individuals and society at large can be acknowledged and that we can respond to that need by having the strongest possible services across our nation.

This is the kind of work that the Senate committees do, Mr Deputy President. We have a chance to listen to people who want to talk to us, share their knowledge and then feed back into government policy development ways that we as a whole society can work together to improve what is going on in Australia. We know that people need to communicate effectively. We know that the earlier that people have the services of effective speech therapy the better their chance of becoming fluent and effective communicators. Then their opportunities for education and work will be enhanced.

**Senator SESELJA (Australian Capital Territory) (18:04):** I take the opportunity to add my voice to the debate on this report by the Senate Community Affairs References Committee. I thank my fellow senators. I think it was a good process. There was a bit of give and take, but it is important that we got to a point that the committee members could all agree on. The government should, therefore, take this report particularly seriously. I commend the report to the government. The report is a reflection of the importance of this issue and of the importance of getting solutions, of working together to do that. As has been touched on by other speakers, this is an issue that goes right across jurisdictions. States and territories have a very big part to play in this, but there is a view in the committee that the Commonwealth also has an important leadership role in this space. The inquiry came about largely due to the strong advocacy work of Speech Pathology Australia, so I take the opportunity to thank them and the many community organisations and individuals who took the time to share their experiences with the committee.

We all know that the ability to communicate orally is key to a person's development, to their wellbeing and to their connection with their community:

… a person who suffers from a speech or swallowing disorder is susceptible to poorer educational outcomes, reduced employment prospects and increased likelihood of social, emotional and mental health issues.

We do not want to see that. That is why speech pathology is so important. Evidence was submitted to the inquiry that adults aged 34 years:

… who had a language impairment at the age of five have up to seven times higher odds of poor reading, five times higher odds of mental health difficulties and three times higher odds of unemployment.
Many witnesses gave evidence of long waits for diagnosis and difficulty in accessing services in regional and remote areas. This is disheartening to hear when we know how important early intervention is. Access to speech pathology services is a complex issue. There is no one factor that would solve access issues. While the federal government does play a role in funding some services through particular programs, it is the states and territories—

The DEPUTY PRESIDENT (18:07): Order! The time allotted for this debate has expired.

BILLS

Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:07): I am continuing my contribution by expressing the Greens' opposition to this bill. We consider that it will have adverse outcomes for job seekers and we do not believe this is the appropriate approach. In fact, we believe the evidence to the committee showed that this bill would discourage people from re-entering the workforce quickly, and we know that is vital for positive outcomes. We believe this bill is overly punitive and there is no need for this type of change.

I left off by saying that we are concerned about some of the adverse human rights impacts of this legislation; I was also talking about some of the issues raised by the parliamentary joint committee on human rights. We also need to be considering this particular piece of legislation in light of other changes the government is proposing to make and in light of the circumstances that people are currently facing. We are concerned about the community impacts of a number of pieces of legislation on job seekers and that the government is, once again, relying on charities to respond to and solve the crises that people will face.

While the government perpetrates the myth that people have to be forced into work, witnesses to the inquiry clearly said that people actually want to work. Dr Falzon articulated his concerns about the bills, but also said:

As opposed to the set of assumptions that this legislation is predicated on, people do want to work and they love the opportunity to meaningfully participate economically and socially.

The truth of the matter is that job seekers far outnumber the available jobs. We received evidence that there are ten times as many job seekers as people on Newstart, Youth Allowance and the Disability Support Pension who have the capacity to work and whom the government is encouraging into work. We also have to look at the number of people who are in the labour market but under-employed at the moment. I found one of Senator Abetz's answers in question time today incredible. I partly understand where he is coming from, but he implied that many of the jobs that people get are not advertised. A lot of the information we received in the inquiry was about advertised jobs. However, to suggest that there are nearly enough jobs out for the people who cannot find work is just ludicrous and lends no
credibility to the government's argument of encouraging people in employment. The simple fact is that there are no enough jobs out there for the people who are currently unemployed.

In his evidence to the committee, Professor Mallett said:

My experience, as well as in the research evidence, suggests that people are highly motivated to build independent lives. They actually do not, for the most part, want to be reliant on income support; they want to build independent, sustainable lives.

This issue is not a behavioural issue; it is a structural issue. Those jobs are not there, and it is ludicrous to try to suggest that simply looking hard enough will find you a job. We know that there are a high number of people who are currently unemployed, particularly young people. We know that youth unemployment is growing; it is not that young people do not want to work. They do want to work and, as evidence to the inquiry pointed out, they want to build independent lives. They do not actually want to live in poverty and they do not want to be stuck on the $36 a day from Newstart. People do not actively choose that lifestyle; they want to find work and they need some support to overcome barriers they have to employment. One of the issues that arose in the speech pathology inquiry was that having information and communication disorders impacts on people's ability to engage with the workforce or learning to engage with the workforce. These are the sorts of things that we need to be looking at. The prevalence data indicates that this is a significant issue. My point there is that there are many things that are barriers to people's employment.

This kind of tough approach is not an incentive, but punitive and acts as a disincentive. They have perverse outcomes. I have had constituents calling my office with concerns about these and other changes that the government is bringing in. These reforms we are deeply concerned will have negative impacts that are counterproductive to supporting job seekers into work. People who have worked in this area for a long time have had experience and evidence that shows that this approach does not work and will not work. As the president of National Welfare Rights Network, Ms O'Halloran told the inquiry:

Our network opposes the introduction of the bill before you, fundamentally on the ground that we question the purpose of the bill—whether it is actually to punish people or to help people into paid work. We would think that we would all be united in the view that helping a person who is unemployed into paid work should be the goal, and we do not believe that this bill will achieve that goal—in fact, we think it will be counterproductive. That is based on our casework experience with the heavy penalty system introduced in 2006 and the many changes to that system since that time.

If the aim is to get job seekers to comply with requirements and move into employment, it seems unwarranted to punish people once they have complied or intend to comply. Dr Mestan told the inquiry:

Worse than ineffectual, the policy is likely to be counterproductive because, once a person is sanctioned, they have no incentive to meet requirements, whereas in the current regime, where payments are recommenced upon compliance, there is a strong incentive for a sanctioned person to quickly meet requirements.

We know from the evidence that punitive approaches do not work. We need to be looking at how we support people entering employment while recognising the structural barriers in terms of the labour market and also the other barriers to employment that people face. The government should be looking at those, rather than continuing down this ideological route that demonises people, takes a punitive approach and does not recognise the value that people
place on finding work. The government should recognise that people do engage with work when they are given support to overcome the barriers to employment and when they are provided with a case management and individualised approach that does not treat people as simply a number on a piece of paper. Such an approach treats them as individuals and recognises that they each have their own concerns, needs, barriers to employment and need for particular areas of support. Ms O'Halloran also said:

If you look at the number of appeals, the appeals also dropped. Our casework experience was that people were getting penalties but they stopped appealing because it was a much faster, better route for them to just re-engage and do a compliance activity.

The point being made to the inquiry was that people do engage with the current regime. You are better off taking that approach than taking a punitive approach like the one that is outlined in this bill. We will not be supporting this bill. We will continue to oppose a punitive approach, because we do not believe that it produces the best outcomes.

Senator SESELJA (Australian Capital Territory) (18:16): I find the criticisms of those opposing the Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill to be quite extraordinary and not based on any sort of fact. What I saw during the inquiry into this bill was a regime that gives every opportunity for those genuinely seeking work to get the support they need and to continue to receive benefits. The only ones we are talking about in this bill are those who simply, after being given umpteen chances, refuse to help themselves. Those are the people we are talking about. We are not talking about people who are genuinely looking for work and genuinely complying with their obligations.

We heard from Senator Siewert, Senator Cameron and others. Senator Cameron did not address the bill in his speech. Senator Siewert at least addressed the bill. She had the right bill. Senator Cameron, the shadow minister, was talking about something completely different. I can address some of what Senator Siewert had to say in terms of those who are looking for work, those who are doing their best. The good news is that this bill does not impact on those people. It does not impact on those people in the slightest. I will read a little bit from the evidence we had from the department about who it actually applies to. I will talk the Senate through how many chances someone has to be given under this legislation before a penalty can even potentially be applied. It is important that we get these facts on the table because I think, if most Australians heard how many chances people had, they would easily dismiss some of the criticisms that we have heard from some people in this chamber and other people who appeared before the committee. Just to put people's minds at rest, I will quote from some of the evidence that we had from the department:

The bill will not impact job seekers who cannot get work despite their best efforts. It will not impact those whose failure to meet their participation requirements is beyond their control and of course it will not impact the 98 per cent of job seekers who do not incur these types of failures. Rather, the bill targets those who have received but refused an offer of suitable work without a reasonable excuse or have been found after an in-depth assessment by the Department of Human Services to have been persistently and wilfully non-compliant.

That is what we are talking about. We are not talking about people who are doing their best and we are not talking about people who make the odd mistake in their efforts to try and find a job. We are talking about people who simply refuse work when it is offered to them or who simply refuse time after time to comply with their obligations. It is absolutely critical that we get this on the record, because some of the commentary in some of the speeches has given a
completely misleading impression about what we are talking about here. The coalition believes that we should support those who are looking for work and this legislation will continue that support. But it will not do what the former Labor Party did and effectively provide no penalty in the end when people persistently and wilfully do not comply with their obligations. We believe that at some point, after rigorous process, there does need to be some direct incentive.

Taxpayers deserve better than what they were given under the Labor Party. They deserve better than the statistics we have seen. I will touch on some of the statistics. This is not about the 98 per cent; it is about the two per cent who persistently and wilfully do the wrong thing. When we lump all of these people together, it undermines those who are genuinely seeking work and who are genuinely using their best endeavours to get a job in difficult circumstances. This bill does not affect them. The approach that the Labor Party are advocating is a slap in the face to those genuine jobseekers who do try to do the right thing. But there are some in our community who simply will not. They are given more and more chances and eventually we have to say, 'Well, there does have to be a penalty.' We saw the statistics and we heard from the department, who said in their evidence:

In 2008-09, the year before the introduction of waivers, 644 penalties were applied for refusing work. In 2012-13, 1,718 penalties were applied for refusing work and 1,227 of these were waived. This means that on 1,227 occasions job seekers who had been offered a job refused that job and returned immediately to income support payment. For this reason, it is intended that job seekers who refuse work should not be able to have their penalty waived and return immediately to payment. We hope that this will provide sufficient incentive for job seekers to accept work when they are offered it.

Let us look at the overall penalties when we are talking about persistent non-compliance. Again quoting from the department:

In 2012-13 there were 28,237 penalties applied for persistent non-compliance; 73 per cent of these were waived and 30 per cent of these waivers were the job seeker's second or subsequent waiver. This indicated that unlimited waivers is undermining the deterrent effect of penalties by allowing a significant number of job seekers to persist in their non-compliant behaviour without consequence.

Senator Bilyk: Do you ever look at vulnerability indicators?

Senator SESELJA: Indeed we do. I will touch on vulnerability indicators. This goes to how many safeguards there are. It is worth talking people through what it takes for someone to get to a point where they could potentially have a penalty applied for persistent and wilful non-compliance. It does not happen the first time, it does not happen the second time and it does not happen the third time. It happens after a series of occasions and a series of reviews. What has to happen is that a job seeker has to fail to comply with their obligations three times in six months. But it goes much further than that; there is a process all along the way to get to that point. What we know is that we have service providers working with job seekers—we heard from some of those service providers, and I do not doubt that those service providers are compassionate. Many of them are in the not-for-profit sector, but regardless of whether they are from the not-for-profit sector or otherwise they are compassionate and they are doing their best to help job seekers to find work.

We know that for someone to get to the three breaches in six months they have to go through a first process, because there is discretion from that service provider as to whether it then goes to the department. In all likelihood, by the time it gets to the department it has
happened a few times, because the service provider is not going to refer them to the
department on the first occasion if there is a good excuse. They are going to work
compassionately and as best they can. So by the time they are getting to the department's
attention, where we are talking about the first strike, this is a person who, in all likelihood, has
failed to comply on several occasions. We do not know exactly how many, but there is a
discretion there, and we know that many of these service providers are doing their best. I do
not think anyone in this chamber thinks the service providers we heard from would
capriciously be reporting someone to the department. There has to be a level of non-
compliance over a period of time before they come to the department.

Then it gets to the department, and at each level it is reviewed. Sometimes there will be a
good excuse, but this is about three occasions where it is deemed there is no reasonable
excuse. By the time they get to that third occasion in six months where they are deemed to
have not complied with no reasonable excuse, you can safely say that that individual has
likely been non-compliant in a significant way on a significant number of occasions. Then we
have a further process where these non-compliances are reviewed. We were told there were
about 75,000 in the last financial year who got to this point. Then that gets a detailed review,
where a number of factors are considered. Even though they have failed to comply several
times, we have a situation where a comprehensive review is done to see whether it is a
genuinely systemic problem and there is genuinely persistent and wilful non-compliance. Of
those 75,000, we heard that only one-third were then potentially having penalties applied to
them. Two-thirds, who have failed to comply on many occasions, will never be subject to a
penalty. Let us be clear on that—they will never be subject to a penalty. Then we have a
situation where those one-third are able to have the penalty waived. In fact, that will continue
under this legislation. They will still be able to have that penalty waived. Then we have a
situation where the individual has the ability to appeal the decision. If the department has
acted in an unreasonable way, they can appeal that and the decision can be overturned.

Any reasonable observer would say that that is a lot of chances. We are not talking about
someone who gets right to the end of that process and has a penalty applied—they can still
have that waived under the new system. They just cannot have it waived on multiple
occasions, which is what has been happening under the current legislation. Surely, any
reasonable observer or any reasonable member of the Australian community—be they a job
seeker, be they in paid employment, be they low- or middle-income earners—would look at
this and say, 'That is a fair go.'

We are doing our bit to support people. We are giving them every chance to continue to
have that support. All this bill does in regard to persistent and wilful non-compliance is to say
that you go through those umpteen chances, decisions are reviewed that many times, and the
two-thirds who have persistently not complied are reviewed and two-thirds of them might
have some reasonable excuse. We have applied the vulnerability indicators, which look at a
range of things that might be affecting someone. Whether it is someone suffering from
homelessness or mental illness or a whole range of other things, those vulnerability indicators
are applied. Then there is an appeals process. We are saying that if someone has had that
many chances and they get the penalties, they can have them waived once but they cannot
have them waived on multiple occasions. We talked about the 25,268 serious failures for
repeated non-compliance, and of these the penalty was waived in 73 per cent of cases. And
this is an important point—of those waived, nearly one-third were for a job seeker's second or third episode of non-compliance. This is right at the end of that process I have outlined.

The Labor Party, the Greens and others are saying that, in the end, there should be no penalty and that you can just persistently, time and time again, not meet your requirements. Surely, we should demand better. Surely, we should say that, after you have had that many chances and had the penalty waived once, we are not going to waive it again. We are not going to waive it a second and a third and a fourth time, as is occurring in some cases. Surely, that is not good enough. The Labor Party, the Greens and others have tried to put out this story that it is somehow unjust. I do not think the average taxpayer would see it as unjust if, after umpteen chances and after a waiver, we say, 'Enough. You can't have multiple waivers. You can't just keep doing the same thing. We are eventually holding you to a standard that the community expects.' I think that that is a reasonable way to go.

We heard very compelling evidence on the statistics that I mentioned and the process that I mentioned. We talk about the vulnerability indicators. That is a detailed process that is there to make sure that we do not penalise someone who has had a minor failure to comply—that is not who we are talking about. We are not talking about the 98 per cent of job seekers; we are talking about the two per cent of job seekers who refuse to do the right thing. After giving them so many chances, we should hold them to a standard.

The Labor Party used to be the party of workers. They are now the party, in arguing the case that they have argued, of defending dole bludgers. That is what we are talking about.

Senator Carol Brown: That is outrageous!

Senator SESELJA: No, it is not, actually. What you do is lump all job seekers together. Ninety eight per cent of them are trying to do the right thing. Two per cent consistently refuse to do the right thing, and that is what you defend.

Opposition senators interjecting—

The DEPUTY PRESIDENT: Order! Senators, please come to order!

Senator SESELJA: I see the sensitivity across the aisle about what they are defending when you put it out there as to what they are defending. You go out to your community. Go out to the hardworking people in your community and say, 'I'm not going to just defend them on one, two, three or five occasions; I'm going to defend them on as many occasions when they breach their obligations as they like. There will be no penalties under the Labor Party. They will consistently have those penalties waived.'

What we are saying is that, after you have been through all those processes and had all those chances—you have had your appeals and had your penalty waived once—we are not going to waive it twice or a third time. Surely, that is a reasonable thing. Take a good look at what you are defending. In the speeches by senators from the Labor Party, we did not actually hear you talk about the legislation—and I am not surprised you did not talk about the legislation.

Senator Carol Brown: You've just said exactly what your government thinks about the unemployed.

Senator SESELJA: Your response to this, Senator Brown, indicates your sensitivity on this point. Senator Cameron, your shadow spokesman, did not mention this legislation. He did
not mention one aspect of this legislation; he did not mention one clause of this legislation—and there is a reason for that. The reason is that it is very hard to defend your claims when you go to the detail. You can talk in abstract, but, when we put the facts on the table about how detailed the process is and about how many chances people have, surely it is reasonable that we eventually hold them to a standard. That is what the coalition is advocating here—nothing more, nothing less.

We will continue to have all of those safeguards so that the vast bulk, the 98 per cent of job seekers who do the right thing, want to get a job and are trying their best, will not be affected by this legislation. But the Labor Party’s argument is that there should be no standards. We should not hold anyone to account at any stage. We take a different view and we do not shy away from it. I commend this bill to the Senate.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (18:34): Prior to the last election, Prime Minister Tony Abbott promised to create one million jobs within the next five years and two million jobs within the next 10 years. If the Prime Minister was on track at all to meet his promise, by now more than 166,000 jobs would have been created. But what we have instead is the highest unemployment rate in 12 years and labour force figures which show the government well short of this target. It is little surprise to us on this side that the government fails so miserably when it comes to job creation. Having created close to one million jobs, despite the largest global economic downturn since the Great Depression, Labor has the runs on the board when it comes to job creation and when it comes to looking after those who are looking for work. We know what is needed.

You can imagine how frustrated people are when they listen to Senator Seselja misrepresent what the legislation before us today will actually do. They make every effort on that side to sideline those who are vulnerable and may have trouble finding work because there is not enough work available. What is really frustrating is when they stand idly by and watch thousands of jobs go, as they did, from Alcoa, Qantas, Holden, Toyota, SPC, Electrolux and Gove. Even in my home state and that of Senator Brown, who is in the chamber, Tasmania, we are watching jobs go at Mount Lyell and the Henty mines, while those on the other side, especially the Liberal member for Braddon, Mr Brett Whiteley, do nothing for those 350 workers affected.

I have heard Mr Abbot speak about the government being like a fire crew fighting the fire. When it comes to job creation and helping people get jobs, this government is more like the pyromaniac who turns up to the house fire with a deckchair and sits to watch it. There is evidence emerging from economists that many of the cruel cuts in this budget will add fuel to the fire and actually damage the economy and kill jobs. What do the government do when they are confronted with their abject failure on jobs? They try to blame someone else. That is their modus operandi. Of course, they will blame the previous Labor government—they have spent a whole year blaming the previous Labor government for everything that ever happened—despite our job creation record and the decisive action during the GFC. But they will have to really turn their thoughts to how they will deal with people who cannot seek work, and they will have to do it in a way other than what they have suggested so far, which is so punitive and unfair, especially to those who are vulnerable. They cannot avoid the inconvenient truth that they are failing to create jobs, so why not just blame the unemployed and say that the unemployed are not looking and are too lazy and unmotivated to get up and
get work. To suggest that anyone would be happy to live on $35 a day, if it meant not having to get off the couch and do any work, is absolutely ludicrous. It is also ludicrous to suggest that all they really need is a good kick in the pants. It was this kind of attitude that was behind the Abbott government's ridiculous proposal that would have seen Australian businesses, including small businesses, swamped with a million job applications a day.

When Senator Abetz was asked by the ABC’s 7.30 presenter, Emma Alberici, whether there would be enough positions to apply for in a place like my home state of Tasmania, where jobs are sparse—and Senator Urquhart, another Tasmanian senator, who has just joined me in the chamber, will also understand this—Senator Abetz replied:

When jobs are sparse, it means that you’ve got to apply for more jobs to get a job. That is what they think: ‘There are not many jobs, but you just have to apply for more.’ They do not take into account people's skills, development, ability to do work, or the fact that people might not be able to get a job for reasons that include, for example, psychological issues. Those on the other side just simply say, 'If you have not got a job, you are not trying hard enough.' Never mind whether you are living in an area of high unemployment; never mind that you might not have the financial means to relocate; never mind that moving might mean leaving your family or your support network. Once again, if you are one those vulnerable people who perhaps have a psychological illness, you will need your family around you. Just packing up and moving is not the way to go. Never mind that there are few training opportunities available or that you are struggling to learn because of poor literacy or numeracy. No, if you want a job, then you can apply for a job—any job.

We heard from Senator Abetz in question time today the fact that most jobs are not advertised. I cannot remember the exact quote but I thought that was pretty funny. So you can just want a job and just apply for it. I would suggest a lot of people start applying for Senator Abetz’s job, because I am sure that people could do a lot better than those Liberal senators representing Tasmania. If you do not have a job in this day and age, according to the government it is all your own fault.

We are talking about the Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill. I just want to talk about an article published in The Australian a couple of weeks ago. It featured an excellent profile of a young man from Burnie—his name was Josh Smith—and the challenges that he faces. I quote:

His prospects of finding work are grim. He doesn’t have a driver’s licence because he’s never had access to a car, or someone to teach him to drive, and he can’t afford lessons; there are no trains and the bus service is patchy. He left school in Year 8 and while he’s done a couple of courses, he has no real qualifications.

The article revealed that in Burnie job vacancies in entry-level positions such as waiting tables or stacking shelves can each attract up to 200 applications. Josh Smith lives with his ex-partner and they have a three-year-old daughter. The article poses some interesting and quite useful questions. It goes on to say:

So where does someone like Josh Smith move to? Would anyone employ him? And what about his kid? And, if he doesn’t move, what happens if he loses his dole payment for six months?

What does happen, I wonder, if he loses his dole payment for six months? Well, I suppose he will find it pretty hard to feed his child, let alone himself.
These are really important questions. But as far as this government is concerned the difficulties faced by the Josh Smiths of the world are their own fault. That is why if you are under the age of 30 this government wants to cut your income completely—your social safety net—for a period of six months. That is right—completely. Under this cruel proposal, job seekers under 30 would have to live on nothing but fresh air for half a year. Who knows what they would have to do for food, rent and utilities, or to provide for their children, let alone how they would afford simple things like postage stamps, the paper to submit their job applications, or bus fares or petrol to get to job interviews.

This government is trying to introduce these changes under the cover of mutual obligation. But what this government seeks to do goes way beyond mutual obligation and into the realms of punishment—punishing job seekers for their failure to get a job. It is easier for the Abbott government to punish a vulnerable group in society, one that simply does not have the means to fight back, than it is for them to create the jobs that they have promised. This bill is just one in a suite of proposals to deliver this cruel punishment.

Before I get to the provisions of the bill I will briefly explain the current situation. Under the current provisions of the Social Security (Administrative) Act, job seekers in receipt of a participation payment may incur an eight-week non-payment penalty for serious failures. The main participation payment is Newstart, but the term also encompasses youth allowance, parenting payment and special benefit. Serious failures can include things like refusing suitable work or persistent noncompliance with their participation obligations, such as turning up to meetings with their job service provider.

A penalty is not applied when the job seeker has a reasonable excuse. Reasonable excuses can include such circumstances as the death of a family member, imprisonment, family violence, mental illness, disability or caring responsibilities. Now, quite reasonably, the act also has some waiver provisions through which the public can, for certain reasons, stop short an eight-week non-payment penalty. These include, for example: that a job seeker may start to comply with their participation obligations during the non-payment period; that a job seeker may end up in serious financial hardship if the non-payment period was applied; or that the job seeker may not have had the capacity to comply with a serious failure requirement. What the government is seeking to do with this bill is to make a couple changes under the guise of strengthening this framework. The bill provides that job seekers who incur an eight-week no-payment penalty for refusing suitable work will no longer have the penalty waived.

My Tasmanian colleague, the member for Franklin and shadow minister for employment service, Julie Collins, has been briefed by the Department of Human Services on provisions of this bill and has come to the inescapable conclusion that it is unnecessarily harsh. In her second reading speech, Senator Collins emphasised the point that these changes would discourage re-engagement. Discouraging re-engagement seems to be completely at odds with the aims of getting jobs seekers into work. If the participation obligations are aimed at encouraging job seekers to actively look for work, then why not offer some incentive to reengage? Instead, this bill consigns those job seekers to the too-hard basket.

These changes mean that job seekers who refuse suitable work will serve the eight-week non-payment penalty regardless, unless they have a reasonable excuse. So there is no waiver—no consideration for whether the job seeker is re-engaging with their participation
obligations, no consideration of their capacity to comply with the requirement, and no consideration of whether they would experience financial hardship if the penalty is applied.

The other changes in this bill provide that job seekers who persistently fail to comply with participation obligations will only be able to have the penalty waived once during each period of continuous receipt of the participation payment. There were questions asked in Senate estimates to determine exactly what the effect of this provision would mean. The department revealed that even when Newstart recipients were undergoing a six-month period of no income, as is proposed in the government's cruel budget changes for job seekers under the age of 30, they will be regarded as still being a Newstart recipient, but one who is in receipt of a nil payment. So not only could they be penalised while not receiving any income, but the one waiver restriction could continue to apply for years, depending on how long the job seeker remains unemployed. If they incur the eight-week penalty during their six months of not receiving any income, then the penalty simply extends the period of non-payment.

The changes to social security for young people under the age of 30 are one of the cruelest measures contained in the budget, but if you combine the six-month non-payment period with the provisions of this bill we could potentially see some long-term job seekers going without a payment for up to 11 months. That gives them only one month before they head into the next six-month period of non-payment. In other words, they would have one month of income support during an 18-month period. In other words, they would have one month of income support during an 18-month period. So I ask those opposite: is that not just the absolute height of cruelty? These harsh changes will have the greatest impact on some of the most vulnerable job seekers in Australia.

Senator Seselja was quite happily sprouting statistics when it was his turn to speak. Let me give a few statistics. Last year Centrelink applied 5,263 eight-week non-payment penalties to job seekers with Centrelink vulnerability indicators on their files—that is right; they had vulnerability indicators on their files. This included 1,483 with psychiatric problems or mental illness, 1,149 with homelessness flags on their files, 131 just released from prison, 107 who had experienced a recent traumatic relationship breakdown, and 102 job seekers with a cognitive or neurological impairment.

I heard Senator Abetz recently, in a debate on a disallowance motion, refer to all the reasonable-excuse provisions that apply, such as suffering a mental illness, having family responsibilities and so on. But let me just point out that vulnerability indicators were on the files of those people to whom the penalty was applied. In other words, their mental illness, homelessness, relationship breakdown et cetera was not considered a factor in the serious failure for which they received their penalty. Let me just point that out for those opposite: their vulnerability indicator issues, such as mental illness, homelessness, relationship breakdown et cetera, were not considered factors in the serious failures for which they received their penalties.

We can see from these figures that, despite the reasonable excuse provisions, the penalties were still disproportionately applied to the most vulnerable job seekers. No matter what those on the other side of the chamber say, or try to spin, that is how it was. As at 31 March this year, there were just over 118,000 job seekers with vulnerability indicators on their files. If this bill passes the parliament these job seekers will be at greater risk than others of having their payment suspended.
Indigenous job seekers have traditionally also been over-represented among those penalised. Over the 2012-13 period, there were 6,895 eight-week penalties applied to Indigenous job seekers, compared with 29,563 for non-Indigenous job seekers. So Indigenous job seekers represented almost one-fifth of those receiving an eight-week penalty. The restrictions of waivers would disproportionately impact some of the most vulnerable people in our society. Are these the people—people with mental illness, people experiencing homelessness—that Australia should reach out a hand and support? Are these the people that Joe Hockey described— *(Time expired)*

Debate adjourned.

**DOCUMENTS**

Consideration

The government documents tabled today and general business orders of the day Nos 1 to 4 relating to government documents were called on but no motion was moved.

**ADJOURNMENT**

The DEPUTY PRESIDENT (18:50): I propose the question:

That the Senate do now adjourn.

Dupagne, Ms Tanya

Lefroy, Mr Timothy

**Senator SMITH** (Western Australia) (18:51): I would like to use this evening's adjournment debate to reflect positively on two fantastic young Western Australians who are living and working out in regional Western Australia.

The first is Mr Tim Lefroy, who this year, 2014, was the winner of the West Australian of the Year Award. This accolade is a powerful demonstration and endorsement of Tim's excellent hard work and efforts, and recognises his contribution to the community through his varied roles—most particularly, through his active sporting roles as a coach and West Australian Football League umpire and athlete.

It was interesting to read about Tim's story and his career goal to become a leader in the development of public policy, with a special interest in policies affecting agriculture and education in Western Australia. When Tim responded to my letter of congratulations he said, 'Senator, I have enjoyed my involvement in the community immensely over the past few years, and it has made me appreciate how lucky we are in Western Australia to have such strong and diverse communities.' I certainly agree with those sentiments.

In addition to that, he said to me: 'Growing up on a farm in Moora has given me a desire to fulfil a career developing agricultural economic policy. I believe sustained economic growth will see an elevation of agriculture to a position of strategic importance over the next decade to address the increasing challenges of providing a sufficient quantity of affordable, nutritious food to the world. I see a career developing agricultural policy as an opportunity to address these global food security and social concerns.' I cannot help but think that Mr Timothy Lefroy is a name that we might start to hear more of across Western Australia and, in the future, I would not be surprised if we heard more in this place about his contribution to community and agricultural life.
I would also like to congratulate and recognise Tanya Dupagne, who is the Shire of Kulin's Camp Kulin manager. This year Tanya was awarded the 2014 Constable Care Child Safety Award. I am pleased to advise that Tanya also won both the local government and employee award categories. As a sign of Tanya's graciousness, when she won the award she said, 'I am so incredibly honoured to receive this award, but I am really accepting it on behalf of all of our team, which includes 64 volunteers, shire staff and the community.' Camp Kulin's innovative program—which I am very familiar with, having met Tanya a few years ago—has supported over 500 kids from across rural and regional Western Australia, and some young people from the cities. The camp's internationally recognised program, which was initiated by Tanya Dupagne, empowers and protects WA's most vulnerable by teaching trust, respect and confidence, with the ultimate goal of breaking the generational domestic violence cycle. It also runs programs and camps which are open to any child seeking to develop essential life skills and leadership skills. I congratulate Tanya Dupagne on the work she does.

She wrote to me just recently and shared this with me. She said: 'It has been a big couple of months, Senator, for us, winning three categories of the Constable Care Child Safety Awards, including the overall award, and being shortlisted for the Premier's Awards for Excellence in Public Sector Management. A number of our camp counsellors have also won scholarships and awards and have represented Camp Kulin at state and national conferences. We are looking forward to the coming months with the further development of our school programs, corporate programs and, of course, our summer camp programs. We are also currently fundraising to build a Camp Kulin low ropes course, which will further enhance the skills learnt by our campers while at camp. Thank you again for your support of the Camp Kulin program and, if you are ever near Kulin—which I regularly am—'we would love to have you come and visit us.'

I think these two examples are very powerful demonstrations of the great work young people are doing and the great contributions they are making not only in our country but particularly in regional communities across Western Australia. I want to use my brief opportunity tonight to recognise the fantastic contribution of both Mr Timothy Lefroy and Ms Tanya Dupagne.

Tobacco

Senator Faulkner (New South Wales) (18:55): Yesterday tobacco excise increased by 12.5 per cent. This is a good thing. This is a tax increase that will literally save lives. It is yet another reason for people to kick this dangerous, destructive and increasingly expensive habit. Yesterday's tobacco excise means in most cases a pack-a-day habit will now cost smokers a hefty $7,000 a year—in many cases, $1 a stick. According to Curtin University's professor of health policy Mike Daube: 'There is no measure more effective in reducing smoking than increasing tax. A tax increase is especially effective on the lower income smokers, whom we want to reduce smoking, in preventing children from starting to smoke and on heavier smokers reducing how much they smoke.'

There is no question tobacco takes a huge toll on the Australian community. According to the Department of Health, smoking kills an estimated 15,000 Australians each year. It is widely recognised as the single largest preventable cause of illness and premature death in Australia. According to the Australian Bureau of Statistics, tobacco's impact on Australia means more than $30 billion in social and economic costs every year. That includes
healthcare costs, subsidies for drugs and days off work. These costs are borne by households, businesses and government.

In June this year, I spoke about my support for the previous government's world-leading plain packaging policy, which I said I thought was a very good Labor policy. Plain packaging is part of a comprehensive suite of policies, including tax increases and public education, which has proven to be one of the most effective public health policy initiatives of our generation. It is something that we should be proud of.

Recent figures released by the Australian Bureau of Statistics, the Department of Health and the Commonwealth Treasury demonstrate the positive impact tobacco plain packaging and other anti-smoking measures are having on reducing the prevalence of smoking in our community. According to figures on the Department of Health website, the proportion of the population smoking decreased from 15.1 per cent in 2010 to 12.8 per cent this year.

I am glad that Senator Nash is in the chamber, because I would be encouraging her to do more. I am disappointed that the National Party of Australia is the last major Australian political party still accepting donations from big tobacco.

According to returns lodged with the Australian Electoral Commission for the period 2012-13, the National Party of Australia received $25,880 from the cigarette manufacturer Philip Morris. Mr Acting Deputy President Marshall, I would implore the National Party—and you have some influence yourself in that party, I understand, very great influence—to join the rest of us here in the 21st century and kick this addiction to the funds provided by big tobacco.

Regardless of that, I for one look forward to the next tax increase on cigarettes on 1 September next year. I look forward to the benefits that tax increase will bring to the Australian community and to the ultimate Holy Grail of Australia being the first country in the world to eliminate smoking completely. (Time expired)

Taiji Dolphin Hunt

Senator WHISH-WILSON (Tasmania) (19:00): Sadly, just yesterday, the annual slaughter of dolphins and small whales began in a small cove in Japan called Taiji. It is also occurring right up and down the coast of Japan. I rise today to condemn these practices.

Drive hunts for dolphins and small whales emerged as a practice in 17th century Japan. It emerged in medieval Japan at a time when they were beginning to isolate themselves from trade and diplomatic relations with the rest of the world. In this context, it made sense for them to seek as many sources of protein as possible to sustain their population. But it is no longer the 17th century. Japan is no longer isolated from trade or diplomatic relations with the rest of the world. Japan is no longer short of a supply of protein to feed its population, and the consumption of whale and dolphin meat is no longer popular in Japan. Slaughtering dolphins was a cruel and medieval practice then and it is a cruel, medieval and totally unnecessary practice now. Tradition is not a sufficient excuse to continue this barbaric practice. Australia and most traditional whaling nations have given up whaling, instead protecting cetaceans.

In a dolphin drive hunt, fishing boats gather in a large ring and bang on metal rods that penetrate into the water. This wall of noise sends the dolphins into a distressed panic. The dolphins are then driven into a small cove away from surveillance. The area is netted off. The dolphins are then left overnight to calm themselves. Until recently, the dolphins were killed by either being stabbed with spears or having their throats slit. The Japanese government
recently discovered that this was unpopular and unsightly, and realised it was a cruel practice. Now, however, the dolphins are killed by driving a metal stake into the space between their spine and their head. To stem the bleeding and stop the ocean turning blood-red, a wooden plug is then hammered into the space where the metal stake was. A veterinary study of this practice found that this did not kill the dolphins quickly and that dolphins would suffer extreme and extended levels of distress and pain. The vets essentially said that in no abattoir on the planet would you be allowed to slaughter a cow like this.

These are wild and intelligent creatures: striped dolphins, bottlenose dolphins, Risso's dolphins and southern short-finned pilot whales are all taken using this cruel practice. Why are dolphins and whales taken? The ones they do not slaughter are sold as live dolphins to dolphinariums around the world, where they attract significant revenue. These magnificent creatures are kept in terrible conditions in captivity in godforsaken parts of the world; the rest are brutally slaughtered for meat nobody wants to eat.

Australia used to be a leader in cetacean preservation. As in the US, dolphins in Australia are protected under our laws—but under this current government we have recently chosen to put trade deals above whale conservation.

I would like to thank all the individuals across the world who have campaigned to try to prevent the slaughter of dolphins at Taiji. Australia needs to take a more prominent, leading global role in cetacean conservation. The International Whaling Commission currently only deals with large whales. This needs to change. It needs to stop differentiating on the basis of size and start looking after all of our cetaceans. It needs to start including the protection of dolphins in its charter.

Australia should not give up on being a global leader in marine conservation, in which we have a proud track record. It should instead speak up on this issue. It should condemn the slaughter of dolphins, as I do, and it should use its position on the International Whaling Commission to end this medieval practice.

**Falls, Miss Claire**

**Steel, Mr Kurt**

_Senator LUNGY_ (Australian Capital Territory) (19:05): Last week my colleagues Tanya Plibersek, Bernie Ripoll and I met a local constituent with a difference. Claire Falls is a 12-year-old Canberra girl with a love for playing soccer who is fighting to restore the $175,000 in funding that has been cut from the Australian Paralympic soccer team, the Pararoos. Claire has made an impassioned and compelling case and has a full diary of meetings as she continues her campaign, including meeting with Football Federation Australia CEO David Gallop last week.

While she is only 12 years old, Claire has taken on this issue with the dedication and sophistication of a seasoned professional. I urge my colleagues opposite to take Claire, and the message she carries, seriously. Her message to the federal health and sport minister is to restore this funding, and she has a compelling case. The Pararoos are ranked in the top 10 in the world and without this financial support they are unable to train or compete. But knowing Claire, she will not sit back and wait. She is seeking support. You can help by adding your signature to a Change.org petition and you can follow her on her blog at eyesofadreamer.wordpress.com.
I also have another issue I would like to raise tonight and it is a very sad one. I would like to speak tonight about something that has rocked the ACT Labor family and the ACT community this week: the tragic loss of Kurt Steel. Our community and our cause have lost a young man of tremendous talent, passion and integrity—a young man who always had a sparkle in his eye and an enduring, positive approach to everything he was involved in. It is never easy to lose a member of our Labor family like this, but to lose a young man of Kurt's outstanding calibre, dedication and potential is an unspeakable tragedy. Our movement was immeasurably enriched for his work and I was lucky to have known Kurt for many years through our shared appreciation for both sport and, of course, Labor. His genial nature and zest for life cannot be overstated. It was always a genuine pleasure to encounter him as I did many times at a sporting event or through his tireless involvement in the ACT branch of the Australian Labor Party.

His contribution to our community and party was considerable, whether it was in his professional role as advisor to my colleague Andrew Barr or his voluntary roles throughout the party organising for the annual conference and various policy committees, and his work and interests across all of those entities.

The many eloquent and kind words that others have written about Kurt's life are justly deserved and certainly appreciated amongst the community. Our movement and our Canberra community will not be the same without him. We will be inspired by his memory. Our thoughts are with Bryce Logan, who was his best mate and his travelling companion just days earlier, and of course Gemma Barnes, who is recovering in hospital from the accident. Our thoughts go to her as well.

Finally, I would like to offer my deepest and heartfelt sympathy to Kurt's family: his parents, Jayne and Phillip, his brother, Chris, and his sister, Yasmine. Also, his friends and colleagues and all those whose lives he touched. It is such a sad loss to our community, to all of us, but particularly, of course, to his family. Our thoughts are with them right now.

Montara Oil Spill

Senator SIEWERT (Western Australia—Australian Greens Whip) (19:08): Tonight, I would like to talk about an issue that I have raised on a number of occasions in this chamber. I would particularly like to raise this issue at this time, because 21 August was the fifth anniversary of the Montara oil spill. While we had an inquiry into the disaster in Australia, which did lead to a change in legislation and changes about the way the industry is regulated, the oil also headed towards Indonesia, and there has been no
major study into the mysterious illnesses that people have reported or the losses to fishing and seaweed production that have emerged.

In addition to the millions of litres of oil from this 74-day crisis, Australian authorities applied 184,000 litres of dispersant into the sea, and, of course, many of the dispersants used were toxic. According to reports by Indonesian universities, fishing and seaweed communities in the impoverished East Nusa Tenggara region have lost more than $1.5 billion since the spill. It has caused that amount of damage.

There remain very significant concerns that oil and dispersants have had a detrimental impact on the marine environment and those in Indonesian communities who depend on it. Concerns about the impacts on Indonesian fishers and communities were raised at the time but they were largely ignored by governments and the company involved. Not enough was done at the time to look into these issues and monitoring has not been put in place.

Three successive Australian governments have failed to take action on this. Governments have hidden behind the absence of a direct request from Jakarta as an excuse not to investigate the claims that followed the Montara disaster. The former federal resources minister, Martin Ferguson, said that the government was waiting for formal advice from the Indonesian government.

After failed bids to negotiate compensation with the company responsible, PTTEP Australasia, Indonesia's deputy environment minister urged the Australian government to help. He is backing efforts to have the company and both governments order a study into whether the illnesses and the loss of production is linked to the spill, because they just do not know. He hoped the Australian government would persuade PTTEP to take some corporate responsibility. The Indonesian deputy environment minister said:

PTTEP's activities are in Australia and Australia can pressure PTTEP to solve this problem. The government of Australia has the power, the authority.

Unfortunately, the government's response has been a little bit lacklustre. I do not think they see the seriousness of the impacts on the Indonesian communities and fishers. They just do not know whether it has impacted them. They want a study so that they can ascertain whether the impacts they have felt are in response to this spill.

The Minister for Industry, Ian McFarlane, said that Australia tightened its oil and gas industry regulations in response to the spill—which is true, we did. A spokesperson for the minister said:

Any further issues relating to waters outside Australia are matters to be addressed by the company in consultation with the relevant government.

We do not believe that is good enough. Indonesian fishers and seaweed growers are deeply concerned that they are still suffering the effects of this spill. In fact, all they are urging at this stage is for a study to be undertaken. They want to know whether the oil spill and the dispersants have had an impact on their livelihoods. I urge the government to reconsider this issue and to talk to the company to require a study to be done.

**Iraq and Syria**

**Senator BACK** (Western Australia) (19:13): I rise this evening to lend my support to the decision of the government led by Mr Abbott to involve this country along with others in
supporting the government of Iraq in the terrible circumstances that are playing out in that
country at the moment. I place on record my appreciation for the support offered by Mr
Shorten and the Labor opposition for the position taken. We are all aware of the shocking
activities being perpetrated by ISIL and their associates in Syria and Iraq. They are indeed a
major threat, not just to the region but internationally. I intend to address that in my
contribution this evening. The UN High Commissioner for Human Rights, Navi Pillay, spelt
out just some of the atrocities that these people have perpetrated in those countries. To use her
words:

Grave, horrific human rights violations are being committed daily …

These include targeted killings, forced conversions to Islam, abductions, trafficking, slavery,
sexual abuse and other atrocities that are, regrettably, too horrific to be spelt out in the public
arena. Amongst those targeted have been Shia Muslims, Christians, Yazidis, Shabaks,
Turkmen and others. Hundreds—if not thousands—of Yazidi individuals have either been
killed, kidnapped or, in the case of women, sold into slavery.

Australia has joined France, Italy, Canada, the United Kingdom and the US in
humanitarian and related logistical support activity. I place on record my support for these
actions. They had to be taken at the time they were. Had they not been, we were at risk of
seeing some indigenous populations in that country completely removed. We are providing
humanitarian aid to those people who have been in positions where they were at great risk of
losing their lives and in fact their populations. The logistical support that we are providing—
as we know from statements from the Prime Minister and, in this place, from the defence
minister and others—is for the Kurdish Peshmerga forces who are opposing the Islamic State
forces. They have defeated them in the past and, with support, we hope that they will be able
to do so again.

In my view, Australia and other free countries have a strong obligation to involve ourselves
in these activities. I make the point that the Australian government, as it always does, is
taking its action in full compliance with international law and the international community.
The government is supporting the Iraqi government at a time when the Iraqi government is in
a state of transition from the previous Prime Minister, al-Maliki, to the new Prime
Minister, who has not yet taken up his position.

Reasonable questions that are being asked in the wider community are, 'Where is the threat
to Australia?' and, 'Why are we involving ourselves at all in this activity?' The answer is very
clear. In the past young Australians, for whatever perverted reason, have travelled to these
regions, including Afghanistan, to join forces with groups like the Taliban. Upon their return
to our country, up to two-thirds of them have posed a severe and serious risk to this country—
and we have evidence of that. It will now fall to our intelligence agencies and others to protect
our citizens and others residing in Australia. I understand from information available that
there are at least 50 young Australians fighting with ISIL forces in Iraq and/or Syria at the
moment and about another 100 are supporting them—150 personnel that are known about. If
that figure of two-thirds is valid, when the crisis in Iraq is finished—and indeed it will
finish—we could reasonably expect up to 100 young people whose minds are perverted as a
result of what they have seen or participated in in Iraq or Syria wanting to return to Australia.
Anybody who thinks these young people, having been activated and motivated as they will
have been and having seen and participated in these activities, are not likely to pose a threat to this country upon their return is in a land that I do not wish to be in.

In my view, anybody returning to Australia who is not an Australian citizen and who it can be shown has participated in this sort of activity should not be allowed to come into Australia. They should be turned around and sent back to their country of their origin. If they are Australian citizens, if they have passports of this country, then, if it can be demonstrated that they have in fact engaged with terrorists in terrorist activities, they must be dealt with—with the full force of the law. In my view, we cannot allow these people to move immediately back into the wider community to corrupt others who might be of a like mind to themselves.

I refer to a statement on Iraq made by the Prime Minister yesterday in the other place. He started out with:

Many Australians are understandably apprehensive about the risk of becoming involved in another long and costly conflict in the Middle East.

That resonated with me, because 'apprehension' was the right term. In 2003, our youngest son, then a lieutenant with the Royal Australian Armoured Corps, was directed with his troop into Baghdad at what was believed to be the conclusion of hostilities. Their role was to protect members of the Australian diplomatic corps based in Baghdad. He was there for some six months. They were very trying times; we obviously had little communication with him. That term 'apprehension' resonated simply because, as you can understand, our family was incredibly apprehensive about the role that we understood him to be undertaking along with his associates. I am very proud and pleased to say that they all arrived home safely, although one young fellow did regrettably pass away on training exercises at Mount Bundey in the Northern Territory some months after they returned from Iraq. I am equally proud to say that, as a result of his efforts, as a young lieutenant at the age of 23 years he was awarded the Distinguished Service Medal for his work in Iraq. Indeed, he was the first lieutenant so honoured since Vietnam. He then went back into Afghanistan in 2006, this time as a captain, again as a combat officer.

I think it is incumbent on all of us to have a very clear understanding of the separation between the decisions of government, the decisions that are made in this place, and those who are sent to undertake these roles. Again, I think we learnt lessons from Vietnam, because unfortunately there was a confusion of roles and responsibilities post Vietnam, and regrettably those coming back from the active theatres seemed to be joined with the parliamentarians of the time, and criticism was levelled at them. I am very pleased to say, as a result of our own personal experience, I never saw at any time criticism of troops returning from those theatres. If people had criticisms—as indeed they had, and I have heard them in this place—people in a democracy have got the right to express those criticisms. But, indeed, they have not been directed at those who were sent to serve.

We of course at this moment have mainly aerial services in support of the activities being undertaken. There is no indication from the Prime Minister that they will be elevated to any other further level. In my concluding comments I would urge the Australian people to always separate the decision making about the roles of our soldiers, our airmen, our sailors and others from the actions that they undertake. They are prepared and well trained for the roles and responsibilities given to them as young people; be under no illusion about that. In this case, as in others, we should always give great accord, as we do in this place, to those who are
entrusted to undertake the role that the cabinet, the ExCo and the parliament ultimately require them to undertake.

**Bell, Associate Professor Erica**

**Senator CAROL BROWN** (Tasmania) (19:24): I rise tonight to pay tribute to, and acknowledge the outstanding achievements of, Associate Professor Erica Bell. Sadly, Associate Professor Bell suffered a critical brain haemorrhage on 21 July this year while at work at the Wicking Dementia Research and Education Centre. Despite emergency surgery and the wonderful care of staff at the Royal Hobart Hospital's intensive care unit, she passed away peacefully five days later, aged 52. I want to acknowledge the presence here tonight in the chamber of Associate Professor Bell's husband, Dr Bastian Seidel, who has travelled from Hobart to be here, her mother Lucy Bell, sister Sarah Bell and Sarah's two children, Leo and Raphael—Raph, as he is known—who have come from Queensland.

I want to say at the outset that, regrettably, I was not fortunate enough to meet Associate Professor Bell. However, after reading the many tributes to her, I know she was an inspirational person who was full of energy and enthusiasm. She worked at the cutting edge of social research and was deeply committed to her academic work and literary excellence and also to her adopted state, Tasmania.

Associate Professor Bell was a prolific writer, a highly successful author and a true scholar. Erica wrote numerous academic papers and in 2012 the vice-chancellor recognised her with an award for her brilliance in the area of community engagement. As well as her academic work and running a farm at Mountain River, south of Hobart, she also wrote two historical novels, the most recent published just one week before her sad passing.

Erica brought out the best in people. I will draw on the words of the people who knew her well and are today mourning her sudden and very sad loss, including her beloved husband, here tonight; her family, including her mother and siblings; and her academic colleagues and others whose lives she inspired.

Associate Professor Bell was born in Papua New Guinea and moved to Australia to live when she was 12 years old. She received the highest overall matriculation result in the Northern Territory and was also awarded the Northern Territory Administrator's Medal for the Most Outstanding Graduate across all university departments at the Northern Territory university. She majored in psychology, history and English and completed her PhD in language and communication theory from the University of Queensland. Associate Professor Bell moved to Tasmania in 2004 and joined the University of Tasmania.

I would like now to refer to comments made by Nell Kuilenburg, Development and Research Manager at the Salvation Army in Tasmania, who met Erica back in 2004 and worked with her on a number of research projects for the Salvation Army. Those projects included identifying therapeutic models for at-risk youth, crime prevention project evaluations, a literacy and numeracy project, and several Community for Children evaluations. But, according to Nell Kuilenburg, the most exciting and profound was the Safe from the Start project. Associate Professor Bell worked on the successful tender proposal for the project and then conducted the research, which considered the impact of domestic violence on children. This included an investigation into how violence affects the brain development of young children who witness violence and how workers and the community
can respond. This project was so successful it attracted numerous grants so that it could be implemented nationally. It won a number of awards, including the top national award at the Crime and Violence Prevention Awards in 2012 and a NAPCAN award last year. The training has been done in all Australian states, New Zealand and the United Kingdom, and resources have also been distributed to many other countries. In the words of Nell Kuilenburg:

I have had an exciting journey with Erica. I admired her, respected her and loved her. She was always humble, gracious, inspirational, always believed the best of people, was positive and happy, thrived on hard work and challenges. She always had great ideas and was a great role model and she mentored me. The Salvation Army is greatly indebted to Erica—she contributed profound and remarkable reports and evaluations for us that have resulted in other successful funding outcomes.

As an organisation we will miss her.

Much of her work was pro bono and she lived the mission of TSA by her love, care and compassion for people who were hurting and disadvantaged.

She leaves a lasting legacy.

Another colleague, Dr Romy Winter, also paid tribute to Associate Professor Bell, with whom she worked since 2006. Dr Winter remembered her work in areas including adult literacy and numeracy, a variety of programs in the Aboriginal community and supporting families in lower socioeconomic groups and, more recently, people living with dementia. She said Associate Professor Bell was a great team player and her capacity for hard work was legendary. Dr Winter said:

She set the bar high for herself and those of us who worked with her will continue to aim for Erica's standards in research, publication and collaboration.

I will miss her for her energy, her intellect, her compassion, her optimism, her individual style and her warmth.

Associate Professor Bell's work has also been acknowledged by the Australian Centre of Excellence for Local Government at the University of Technology in Sydney. She was introduced to the centre by the chair of the board and my fellow Tasmanian and former Labor senator Margaret Reynolds in 2010. The centre said Associate Professor Bell had made presentations on the health impacts of climate change and was a friend and mentor to many.

Centre director Roberta Ryan said:

Erica's contribution to the Australian Centre of Excellence for Local Government, and the broader research community, will be greatly missed. We are fortunate to have as a legacy her research that will continue to support local government scholars.

The National Rural Health Alliance said the rural and remote health sector was devastated at Associate Professor Bell's untimely death. The alliance said she was a friend who was well liked and respected and who would be sadly missed.

It is fitting that at the celebration of her life her beloved husband and soul mate, Dr Seidel, announced that in close collaboration with the Faculty of Health at the University of Tasmania and the Tasmanian Writers' Centre he would set up the Erica Bell Foundation. Dr Seidel said the foundation was to reward excellence in Tasmanian literature and medical research. It would award an annual $10,000 prize to a first-time Tasmanian novelist and a $10,000 annual prize to a first author of a peer reviewed research publication affiliated with the Faculty of Health at the University of Tasmania. The literary award will be one of the highest annual awards presented in Tasmania to an emerging author, and the award for the
medical research publication will also be amongst the highest in this area in Tasmania and nationally.

In the words of Dr Seidel:

Erica was a positive, forward looking and forward thinking person. She would want us to pull together and to celebrate and to reward excellence and talent. The Foundation in her name is going to do exactly that.

I am honoured that with Dr Seidel's support I have had the chance to honour Associate Professor Bell's outstanding contribution tonight.

I have no doubt that her decade long work in Tasmania will continue—and, indeed, must continue. Her creative and academic talent will be sorely missed, but she will be remembered for her inspiration, her drive, her leadership and her work to improve the lives of Tasmanians.

Vale Associate Professor Erica Bell.

Nuclear Energy

Senator LUDLAM (Western Australia) (19:32): Sometime in the next 48 hours the Australian Prime Minister, Tony Abbott, will, we understand, sign a uranium export deal with Indian Prime Minister Narendra Modi. I have very high regard for the Australian safeguards negotiators and those like Dr Robert Floyd, who will have spent the last few months making this safeguards agreement as watertight as possible. Nonetheless I want to draw the Senate's attention to the basic futility of attempting to keep Australian uranium out of the so-called 'wrong hands' and draw the Senate's attention to a quote by K Subramanian, who is a former head of the Indian National Security Advisory Board. He said:

... it is to India's advantage to categorise as many power reactors as possible as civilian ones to be refuelled by imported uranium and conserve our native uranium fuel for weapons-grade plutonium production.

I put to our Prime Minister and to those who believe that this trade deal is good for Australia that no safeguards agreement in the world can protect you from a government that is bringing in foreign sources of uranium for domestic nuclear power so that it can quarantine its own domestic sources to fuel an atomic arms race with its neighbours. That is what we are getting ourselves into.

What probably will not cross the Prime Minister's radar is the grievous safety record of the Indian nuclear industry, and I ask those senators in this place to think this is a good idea to ponder carefully whether they are their families would be happy to live next door to an Indian nuclear power station. If you are, I ask you again to do a brief amount of research on the safety record of the Indian civil nuclear power industry, because it is not very good reading.

I have two quick examples from the public record. One thing we are fortunate in more so than in the instance of China is that India does have a raucous and very opinionated free press, and we do have a bit of a sense of where the nuclear industry has gone wrong in the past. In March 1993 at the Narora Atomic Power Station, two blades of the turbine in unit 1 broke off and, effectively, one of the turbines disintegrated, causing a huge fire in the turbine hall. It caught onto leaked oil and spread through the turbine building. The smoke sensors did not detect the fire, and workers had to raise the alarm when they saw the fire. The secondary cooling systems shut down. They lost power for 17 hours. This is a workforce that was then
forced, effectively in the dark, to manually open valves to try to prevent the reactor from blowing itself all over the landscape. The fact of their success and their sacrifice in coping huge radiation doses is the reason that I would suspect that nobody in this chamber tonight has ever heard of the fire at the Narora Atomic Power Station.

In May 1994 the inner surface of the container dome of unit 1 of the Kaiga Atomic Power Station in Karnataka collapsed. The authorities at the time suggested it was a delamination event. 'Collapse' is a word that will suffice for now. One hundred and thirty tonnes of concrete from the inner containment vessel fell to the floor. Can you imagine the catastrophe that would have occurred had the reactor been live at that time?

These are just two very quick examples. I suspect the eyes of those sitting opposite have probably glazed over by now, but this is the industry we are getting ourselves into, and there is really no way at all of guaranteeing the future safety of these power stations. That is why you would understand tens of thousands of people demonstrated during the construction and commissioning of the Koodankulam reactor complex on the south cost of Tamil Nadu. Ask yourself again: would you want to live next door to this facility, which was in the impact area of the 2004 tsunami, not too dissimilar from the natural disaster that wiped out the Fukushima plant on Japan's Pacific coast—but perhaps I am getting ahead of myself. If you would not want to live next door to that facility, why are we selling uranium to fuel it and enabling that industry to get on its feet?

I think it is significant that it is the Russian nuclear industry, an industry that is in crisis around the world, that has constructed those two plants at Koodankulam in Tamil Nadu. I received quite a respectful answer on this issue at question time today. It is unusual to actually get information out of question time that you are not already aware of—this afternoon it was not just pantomime. The answer was that we are not currently selling uranium into the Russian Federation and that the Australian government, to paraphrase Senator Abetz, has halted consideration of such exchanges until the volatile situation in eastern Ukraine is resolved one way or the other. I congratulate the government unreservedly for taking that step, for not considering exchanges of this material with the Russian Federation.

I also draw the attention of senators opposite to the September 2008 report of the Joint Standing Committee on Treaties. It might have been the first one of those reports that I signed onto myself. Senator Birmingham, I suspect you were actually a member of that committee at the time. If I recall correctly, without reservation or a minority report from anybody, the committee unanimously suggested that those sales should not go ahead until a very long list of preconditions had been met. I can see you searching your memory there, Senator Birmingham. I will correct the record if I am wrong, but I can remember it being a very strong report that coalition and crossbench senators played a very strong part in. The then Labor government went ahead and overrode the terms of that treaty and went ahead to sign an export deal with the Russian Federation.

Let us fast-forward to 29 August 2014. Russian President Vladimir Putin, arguably in open violation of international legal norms and having effectively, it appears, invaded the eastern part of the Ukraine, stated to a domestic audience:

It is best not to mess with us. I want to remind you that Russia is one of the leading nuclear powers.
That is the trip-wire that we appear to be walking through—the apparent escalation of an already violent and unpredictable conflict to the implied use of nuclear weapons. Why the hell would we have anything to do with a government that would abuse this trade in this way?

So, as I said, I congratulate the government for halting any future shipment of this material or, at least—not to overegg what Senator Abetz provided us with this afternoon—until that situation de-escalates. The reason that you would do that is because this is a strategic mineral. This is not like gold exports or copper exports. This stuff is bomb fuel, and the enrichment plants or the reprocessing plants that you feed this stuff into are identical at the civil end and at the military end. That is how this industry has operated since the very beginning.

The people around the world who know this the best and who have been hit very hard by both ends of the nuclear fuel chain are the Japanese. I was honoured last week to host former Japanese Prime Minister Naoto Kan to this place. He visited the Australian parliament and came to a very well-attended meeting featuring MPs and staff from right across all parties in this parliament. He was the Prime Minister of Japan between 2010 and 2011, so he was the Prime Minister when the great Tokyo earthquake struck the Pacific coast, killing upwards of 16,000 or 17,000 people and causing the catastrophic failure of the Fukushima nuclear complex. He was briefed by his national security officials when TEPCO management in Tokyo were proposing to withdraw their workforce because of the radiation doses that they were absorbing in an effort to keep the plant under control. He was then briefed on the worst-case scenario and was informed that it would require the evacuation of a radius of 250 kilometres from the complex, encompassing the city of greater Tokyo, and would necessitate the evacuation of more than 50 million people.

He now believes—and it was the reason for his tour—that humankind cannot coexist with nuclear technology. That is a view that I strongly agree with. That is why, whether in India, Russia, Japan or the outback of Australia the future is not radioactive; it is renewable. That is why I pay my respects in here tonight to everyone around the world, over more than three generations, who has stood up to this industry, be it the Prime Minister of Japan, who has seen up close the damage this industry can cause, or those who stood on the beach at Koodankulam to try to prevent those Russian reactors from being created or those right here in Australia who have stood against this nightmare since it first touched down in this continent.

**Overseas Aid**

*Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (19:42): One of the issues I am very passionate about is Australia's part in the global effort to tackle extreme poverty. Right now 1.3 billion of our world's population live in extreme poverty, which is defined as living on less than US$1.25 a day. I support several local organisations in organising events and raising funds aimed at combating or raising awareness of extreme poverty. Some of the organisations I have worked with include A Fairer World, Results International, Oaktree, the Global Poverty Project and a variety of local schools working on antipoverty projects and campaigns.*

*My staff and I have participated in Oaktree's Live Below the Line, a fundraising initiative in which participants spend no more than $2 a day on their food and drink. In fact, only last weekend I held an event in my office for Results Tasmania to support them with their fundraising. They do not receive any government funding and in Tasmania they raise $20,000 a year to help keep their organisation going.*
The work that antipoverty organisations do provides a valuable supplement to Australia's foreign aid contribution. There are two good reasons for Australia to provide overseas development assistance. The first is that it is in Australia's national interest to do so. Poverty can lead to political instability which, in turn, leads to violence and unrest. Development assistance is an excellent way to promote stability in our region, not only through lifting the living standards of people in our region but also through improving our diplomatic relations with our neighbours. The second reason why Australia should provide overseas development assistance is simply that it is the right thing to do. It is the right thing for a good global citizen to do. People living in extreme poverty are our fellow humans. They are suffering and they need our help. I believe we have a moral obligation to join with other developed countries in finding sustainable solutions to the problem of global extreme poverty. However, overseas development assistance is only one weapon in our armoury against global extreme poverty.

In June this year four representatives of the Christian antipoverty lobby group Micah Challenge visited my office to discuss the grave problem of multinational tax avoidance and how it contributes to global poverty. In an increasingly globalised world, commerce and trade take place across national borders. This allows multinational companies to artificially reduce their tax bills by shifting their profits to low-taxing countries. In doing so they are taking advantage of the failure of many countries to ensure their tax laws keep pace with the practice of international profit shifting. The rapid growth in e-commerce has made keeping up with the game of international profit shifting even more difficult, because electronic transactions can take place in almost any jurisdiction.

Multinational tax avoidance is such a big problem for developing nations that tackling it effectively could possibly do more for combating poverty than increased aid contributions from developed countries. While the world's annual aid contribution is $135 billion a year, research by the UK charity Christian Aid estimates that multinational companies cheat developing countries out of $160 billion a year in tax revenue. Let us put that in perspective. That is enough money to save the lives of 350,000 children from disease, malnutrition and lack of safe drinking water.

Clamping down on tax avoidance in developing countries is effective in alleviating poverty not just because of the amount of money directed at the task; tax is a more reliable and predictable source of revenue than aid. It promotes self-reliance and increases the accountability of governments to their own citizens, whereas aid can potentially make them captive to the interests of donor countries.

To illustrate the ludicrous outcomes that result from multinational profit shifting, the representatives from Micah Challenge who I met outlined a case study from the town of Mazabuka in southern Zambia. Caroline Muchanga operates a market stall in Mazabuka. She works 15 hours a day seven days a week and on a good day earns the equivalent of US$4. Isaac Banda, a seasonal cane cutter just outside Mazabuka, earns a wage of US$14 a day. He would need to earn about half as much again to afford basic provisions for his family of six.

Isaac works for Zambia Sugar, a subsidiary of Associated British Foods and the largest sugar mill in Africa. Zambia Sugar has recorded annual profits of US$18 million over the past five years. Despite Zambia having a corporate tax rate of 35 per cent, between 2008 and 2010 Isaac and Caroline paid more tax in absolute dollar terms than Zambia Sugar. That is because Zambia Sugar did not pay any tax at all—not one cent.
This profit shifting by multinationals is unfair not only to governments trying to collect revenue for essential public services but to ordinary workers, like Isaac Banda, who are paying their fair share of tax and to small business owners, like Caroline Muchanga, who are trying to compete on a level playing field. Being able to reduce their tax bill and avoiding paying their fair share of tax means that multinationals not only are able to unfairly boost their after-tax profits but can lower their prices, thus gaining an unfair competitive advantage against other businesses.

There are a number of clever and complex arrangements that companies have for shifting their profits from high- to low-taxing jurisdictions. One of the most common schemes is to locate the headquarters of the company in a low-tax jurisdiction or a tax haven. The international subsidiaries then pay huge sums to the head company in the form of loan repayments, intellectual property licences or management fees, effectively shifting any profits they make locally to the head company. The effectiveness of these profit-shifting schemes explains why a tax haven like the British Virgin Islands has 34 companies registered for every inhabitant.

Micah Challenge's advocacy is part of the global campaign run by the Tax Justice Network. The Tax Justice Network has recommended three measures that are critical to tackling tax avoidance by multinational companies. These measures are: the automatic exchange of information between tax authorities in different countries; a public register that lists the owners and beneficiaries of companies, trusts and foundations; and requiring multinational companies to break down their financial reporting on a country-by-country basis. Automatic exchange of tax information is already supported by Australia, which provides information on tax matters automatically to over 40 countries and receives reports from 20 countries. Australia is well advanced when it comes to other reforms to tackle multinational tax avoidance but there is still much work to be done both in our domestic policy and in multilateral negotiations.

The upcoming G20 meeting in Brisbane is an excellent opportunity to put the topic of multinational tax avoidance and its impact on global poverty firmly on the international agenda. Having the presidency of the G20 and hosting the next meeting should put Australia in a strong position to take the leadership role on this issue. However, for Australia to take a leadership role we must lead by example. Unfortunately, Australia under the Abbott government is not moving forward on this issue but instead is actually moving backwards. In fact, as my Labor colleague in the other place and shadow Assistant Treasurer, Dr Andrew Leigh, has pointed out in various articles and speeches, since coming to government the coalition has announced that it will scrap multinational profit-shifting measures worth $1.1 billion over the forward estimates. These measures include repeal of Labor's tax transparency reforms, which required Australia's largest companies to disclose their total income, taxable income and tax paid. They also include not proceeding with reforms to tighten the offshore banking unit regime announced by Labor in the 2013-14 budget.

This is a government which, despite talking tough about cracking down on multinational tax avoidance, has done nothing since coming to office except water down Labor's reforms. These are incredible moves from a government which has until recently been claiming to be dealing with a budget emergency. Surely clamping down on multinational tax avoidance is a better alternative to the cruelty of some of the Abbott government's budget measures. Isn't
getting large multinational companies to pay their fair share of tax a far better alternative to cutting the income of families and pensioners, taxing sick people when they visit the doctor or cutting Australia's foreign aid? Clearly not for this government, which has its priorities all wrong.

In closing I would like to thank for representatives from Micah Challenge who visited me to discuss this important issue: Cecilia Ng, Michael Coman, Alex McWhirter and Mike Hobson. I would also like to thank the hundreds of other representatives from Micah Challenge who visited Canberra to progress this important issue and the thousands of other people throughout Australia in various community organisations who are engaged in the campaign to combat global poverty. It is through the drive and passion of people like them all around the world that we have the power to end extreme poverty within a generation.

Renewable Energy

Senator DI NATALE (Victoria) (19:52): I rise today to talk about the review of the Renewable Energy Target and in particular the impact that that review will have on my home state of Victoria. You have got to hand it to this government—the nerve, the chutzpah to be able to appoint a climate sceptic, an oil executive, to review the Renewable Energy Target. If you ever needed more proof that this was a sham review, the appointment of Dick Warburton to head that review is that proof. What a surprise to have an outcome that says that we should wind back the Renewable Energy Target! When you appoint somebody who does not believe in climate change, which is the point of having a target for renewable energy—and you appoint somebody who sees wind turbines as everything that is wrong with the world—there can only be one outcome, and we have got it.

Despite the review confirming that the Renewable Energy Target did achieve its goals of reducing emissions of greenhouse gases in the electricity sector, of encouraging the additional generation of renewable energy through incentives, of meeting the 20 per cent target—despite it achieving its goal and despite a promise during the election campaign to keep the target—we have got a recommendation from that climate sceptic that we should ditch it.

The premise, of course, is that it is too expensive. It uses coal as its reference point, completely ignoring the fact, of course, that coal has become a major contributor to our power supply precisely because it has been subsidised from its very inception and continues to be subsidised to this very day. There is a great irony that I am talking about this issue here today, because we have just seen an inquiry handed down into the Morwell coalmine fire. It is an inquiry that discusses the serious impact that that fire in that coalmine had on the community of Morwell—enormous costs as a result of the health impacts and social dislocation caused by that fire that will not appear in any balance sheet and reflect the true price of coal, because it is the taxpayer that will be footing the bill for that clean-up.

In winding back the Renewable Energy Target we now take the gold medal in climate change obstructionism. We are the first country to have wound back a price on carbon, and we will now be the first country to wind back a target for renewable energy. Some honesty would have been nice here. If we had a government, which is clearly a government that governs for its mates in big business in the coal industry, that was prepared to say: 'We are not going to support renewable energy. We don't believe in climate change. We don't believe it's real. We think climate change is crap and we think we should wind back the production of renewable energy.'—that would have at least been honest. Instead, we have this sham process
designed to produce a predetermined outcome, and what we are going to see is a huge impact on my home state of Victoria.

The irony, of course, is that on a day when we repeal the mining tax on the premise that it is jeopardising investment from mining interests in this country we also continue our assault on the Renewable Energy Target, killing an industry of today and tomorrow with the potential and now realised potential to create jobs for communities right across Victoria, particularly in regional Victoria. Victoria is facing a jobs crisis. Nationally the unemployment rate has jumped to a 12-year high of 6.4 per cent, and Victoria is one of the worst performing states in the country. In the Premier's own electorate in the south-west Victoria, we have youth unemployment at a 15-year high, averaging 18 per cent over the year to July 2014, well above the state average and well above the youth unemployment rate for the previous year. Yet in the face of all that we see a government, both at a federal and a state level, continuing to wage their war on the renewable energy industry.

This is what they are giving up. The Clean Energy Council modelling showed that the that if the Renewable Energy Target was retained Victoria would gain 6½ thousand jobs, with 750 in the Premier's own electorate. We have seen the shelving of the enormous solar farm in Mildura. Eighteen new wind farms have been put on hold. We have almost 1,000 wind farms in operation in Victoria with more than 2,000 approved but not yet built, and they are all in jeopardy. Every 50 megawatts in capacity—say 10, five-megawatt turbines—produces a value of $50 million to the state, and that is a very small development. Many of the developments in Victoria are bigger than that. But even if we take that as our benchmark, that would provide direct employment of up to 50 construction workers with each worker spending approximately $25,000 in the local area in shops, the Chinese restaurant, the takeaway shop, on hotels and a whole range of other services—for a total of up to $1.2 million. There is direct employment in the operation of the wind farm and indirect employment during the construction phase of approximately 160 people locally for a small development. That means 500 new jobs across the state and 800 nationwide. And it means a lot to farmers. Up to $250,000 per year for a farmer in land rental income and then the money on community projects—the local football club, the CWA and so on. Local goods—the gravel, the cement and sand from the local quarry. It is the RET that ensures that local communities get the benefit of the renewable energy boom. That is why we have seen the Mayor of Ararat, the Mayor of the Northern Grampians and the Mayor of the Pyrenees shire writing to the government, calling on them to retain the RET.

We know individuals at the coalface have benefited from the RET. Bob Menzel, who is a partner at R&M Menzel Electrical, says:

Over the course of seven years we have been able to grow to the point where we employ up to 35 people, not just in Portland but across the country and sometimes overseas … This would simply not have been possible without clear policies to support the growth …

Mike Noske, the special project manager from Keppel Prince Engineering, says:

The price of solar has dropped so far that our business division can now employ another 10 people across the state. You need the framework there while the industry and the technology develops, and then you can kick it away.
That is what he says. But it is not just those people. The former Leader of the Opposition, John Hewson, who attended a forum in Portland, made clear what he thought of this government:

This is a government that wants to be seen as open for business but open for what sort of business? We’re making a transition from a resource based economy to what? To what indeed? So, you see, we are very much at the crossroads.

Victoria is a national priority in ensuring that we make progress here in cleaning up our energy system because it relies on brown coal, the dirtiest electricity source of them all. I was really privileged earlier on in the year when I joined the Friends of the Earth on their renewable energy road trip. We visited a range of communities. We went from Anglesea to Morwell and we heard from communities that have suffered the worst impact of fossil fuel pollution. For them, the renewable energy target was a source of hope.

While the Abbott government is threatening to axe or at least weaken the RET, I know in Victoria my state Greens colleagues are doing their best to retain it. They are doing it in the face of a recalcitrant state government, a state government that believes—and it made its position very clear in its submission to the renewable energy target review—that gas is a renewable energy and that woodchips from native forests are a source of renewable energy. Well, they are not, and my state Greens colleagues are leading the charge in ensuring that, in Victoria, we get a Victorian renewable energy target so that we can act while this federal government is in retreat.

This transition is inevitable. The question of whether we are going to have our agenda set by the vested interests who represent the industries of the last century or by the community, who support the industries of today and tomorrow, is the issue—and we should not be dragged into it kicking and screaming.

Pharmacies

Senator WILLIAMS (New South Wales) (20:02): I rise tonight to speak about a very vital business sector, especially in many small regional towns. I talk about the local chemist shop—the pharmacy—and what a vital service they are. The Nationals stand up for small business and many on this side, of course, do that. We are very proud of small business and what they contribute to our country. Recently retired senator Ron Boswell led the fight to protect our pharmacies in the face of competition. He fought to ensure pharmacies remained as stand-alone businesses. We need to continue this fight. From both sides of parliament, we have seen cut after cut after cut to our pharmacies. I have spoken to many of them in recent times. I have seen pharmacies close down. We even hear of pharmacies now going into receivership. It is a real concern. There are negotiations coming up with the government and I urge the government to be fair—life is about fairness. The name of our national anthem is Advance Australia Fair. I underline ‘fair’.

Five thousand three hundred and fifty community pharmacies in Australia employ around 60,000 staff. Thirty per cent are in regional areas; 12 per cent of them are in rural and remote areas. Four hundred and twenty five Australian towns have one pharmacy—I will repeat that: 425 Australian towns have just one pharmacy. Sometimes it is the biggest employer in that town. People in rural and remote areas are more likely to have a health problem such as obesity, heart disease or high cholesterol, and we can throw high blood pressure in with that.
It is a fact that people in rural and remote areas live shorter lives and have higher rates of disease and injury than people in major cities. They are also more likely to skip GP visits, tests and medicines because of cost.

PBS reforms are adversely impacting on pharmacies and have been for many years. Peter Crothers of Towers Pharmacy at Bourke explains the problems in his own words:

As a result of the price disclosure impact, we have not replaced one departing full-time staff member and will be putting off another part-timer.

He goes on to say that in Bourke:

We already have high unemployment, especially youth unemployment, and the social problems that accompany this like drug and alcohol abuse and domestic violence.

There are gaps in Aboriginal pharmaceutical programmes such as s100 and QUMAX (which is Quality Use of Medicines Maximised). In our area QUMAX does not apply and S100 does not subsidise the cost of Dose Administration Aids

To explain what S100 is, it is an allowance that is paid to approved pharmacies and approved hospital authorities for the provision of a range of Quality Use of Medicines services to patients in approved remote Aboriginal health service areas. Peter continues:

That means aboriginal people requiring these doses have to pay for the service—we charge $6.50 per patient per week which is about half—

I repeat: half—

what it cost us to do them, and we pick up another $1.50 or so per pack from the 5CPA incentive payments

$6.50 is the absolute limit of people's ability to pay but now we will have to increase it

Unless other agencies pick up the tab, people will drop out of Dose Administration Aids.

That is part of what Peter Crothers from Towers Pharmacy in Bourke had to say.

It is estimated that PBS reforms will have an impact of $450 million this year, which is $90,000 per pharmacy. Ten per cent of staff will be shed over the next 12 months and there will be reduced services and cutback in opening hours. Total government savings from reforms will reach $20 billion by 2020—that is $20 billion in that industry by 2020. Payments for prescriptions will be lower in 2020 than in 2010. Pharmacies need to broaden their horizons to survive.

A 2013 Grattan Institute report found that more than one million Australians who live in regional areas are denied access to basic medical care that most city dwellers take for granted. It identified seven areas containing one-twentieth of Australia's population, where limited access to GPs is imposing severe costs on individuals, doctors and the health system. Those areas include Tamworth, Goulburn and Mount Isa, as well as most of the Northern Territory and Western Australia. It found that in these areas, severe GP shortages continue to exist, regardless of the policies that have been implemented. Perhaps pharmacies can fill some of that void, is the message.

The sixth agreement between the government and the Pharmacy Guild will most likely start in July next year. It needs to maintain, where possible, enhanced existing regional programs. The Pharmacy Guild points out that its members are increasingly being asked to deliver more services to an ageing population, such as health checks, vaccinations, pain management, wound care, mental health management and even services for sleep apnoea. There are many
issues the guild would like to see included in the next agreement, but there are three essential requirements: dispensing remuneration must be maintained in real terms; a transparent funding model to offset the impact of lost trading terms on core pharmacy services, such as home deliveries and health checks; and a comprehensive medicines adherence and medication management strategy.

We must ensure that our pharmacies remain viable. Where I live in Inverell—which has a population of 12,000 in town, which is the biggest shopping area for the population, of course—I have seen five pharmacies reduce to three now. In my mother's early days of dementia, the Webster-paks were put together and it was clear what she had to take each day for her medication. The local pharmacy is a place of trust. People go in to seek advice, whether it be for a cold or flu, or for aches or pains. You go in there with total trust for what the pharmacy tells you. You trust the pharmacy. You know that they do their best for you. I do not want to see any more pharmacies close their doors and people being put off. We have to consider the future of these small businesses as we progress through this agreement. It is vital that pharmacies remain viable financially. They are there to do a service, and, of course, they are now relying on delivering more services, such as blood pressure tests and diabetes tests—you name it. It is becoming a one-stop shop for many in very, very small communities, where they may have to wait for weeks to see a doctor. In some communities, sadly, we do not have GPs.

I encourage my colleagues in government to see that we do the right thing by our pharmacies in this new agreement. They have suffered billions of dollars worth of cuts over many years. The general impression was that if you own a chemist shop, a pharmacy, then you are a millionaire. That is not the case. I know it is not the case. The people I know and trust have told me; we have gone through the figures. They are putting people off and they do have to remain viable. So I encourage my colleagues in government, the ministers and the Treasurer, to see that we do the right thing in this new agreement with our chemist shops.

Gorgon Gas Project

Senator LINES (Western Australia) (20:10): I rise tonight to speak about Chevron's Gorgon Project, on Barrow Island in Western Australia. At the time of approval in 2009, the Gorgon joint-venture estimated that the net benefit to Western Australia from the Gorgon Project would be the creation of approximately 3,500 direct construction jobs on Barrow Island and approximately 10,000 direct and indirect jobs at peak construction; the creation of approximately 300 direct jobs on the island during the operational phase; an increase to the state gross product of four per cent; a boost to Australia's gross domestic product of more than $60 billion; and creation of new industries centred on CO2 injection and subsea development.

These are the sorts of commitments that governments go starry eyed at. And why wouldn't they? There was a fine bunch of promises there made by Chevron. But, of course, these are claims—and just claims—and these claims cannot easily be measured or validated. But, nevertheless, it is claims such as these that make governments go misty eyed.

Well, I am not hoodwinked, because I have another side to this starry-eyed picture. Let's look at the Gorgon Project. It is currently more than $15 billion over budget. It is 18 months delayed. Some Australian companies that were working on the project have gone bankrupt. Communities surrounding the project that had been promised and had expected infrastructure have been let down. The promised jobs, both the quality of these jobs—the value adding to
the Australian and Western Australian workforce—and the number of jobs, have not met Gorgon's promise. Chevron has overpromised and under delivered on Gorgon.

And what does Chevron do? Well, Chevron likes to blame Australian workers, Australian regulations and our political environment for its own mismanagement, its own errors, its own missteps and its own slip-ups. But the truth lies elsewhere. The International Transport Workers' Federation, of which the MUA is a member, has done its own investigations into Chevron. The federation believes that Chevron has not provided adequate disclosure about the risks, the timing and, indeed, the real cost of the Gorgon Project.

The Gorgon Project on Barrow Island is the most significant extractive project in Australia. Of course, as the most significant project in Australia it requires substantial and ongoing investment of capital and human resources. When work began with great fanfare in 2009, the project was to be completed in 2014 at a cost of US$37 billion. Cost overruns are now at 40 per cent—more than $15 billion—and the project is now 18 months delayed, with the first gas not now expected until late 2015.

For Chevron, Gorgon is the single largest part of its capital expenditure and exploratory budget. Yet, in 2009 it decided, for its own political gains to fudge those figures to suggest a cost it could not possibly meet, and a time frame which was absolutely unachievable.

How is Chevron addressing its own failures? It is not. Rather than looking at its own managerial errors and slip-ups, and make the appropriate corrections, Chevron is advocating that Australia is somehow at fault here and that Australia should re-examine its regulation of the resource sector.

The Gorgon project, unfortunately, is quickly becoming synonymous with white elephant mega-projects. Some analysts show that it is the most delayed and over-budget LNG project in Australia. Yet Chevron gave its shareholders extremely rosy projections and has only very slowly revised cost and delay estimates. Other Gorgon project owners, who are not as closely associated with the project's management or, should I say, mismanagement—Shell, and the Japanese utilities—have different projections and timetables for completion.

Despite extensive negotiations and commitments from Chevron, the company is now reporting that it is having trouble getting commitments from customers for as much as one third of the LNG that will be produced. So it has not even managed to on-sell what it will produce in late 2015. Apache, one of Chevron's co-owners on Wheatstone, is pulling out of the project, seemingly less optimistic about the project's operations and prospects.

Rather than critically examine how Chevron can operate successfully in Australia—which is what a wise, progressive company would do—they have chosen to label us as an over-regulated, high-cost jurisdiction and sought to extract more benefits from Australian institutions, reneged on commitments and failed to operate according to our norms. Rather than focusing on fixing their own issues, Chevron continues to project that the inaccurate estimates they made at the beginning are somehow someone else's fault.

This example of Chevron's operations shows that Australia must be prudent in negotiating resource agreements with overseas operators. Yes, we must look at the rose coloured projections about jobs and the bottom line in terms of what Treasury might expect to get out of these projects, but we must also force companies to be realistic. As regulators, that is what we need to do. Chevron and other companies must respect our laws, practices and operating
environment. After all, they are extracting resources for profit that belong, in the first instance, to Australians. And that wealth needs to be shared, through proper management of projects, with all Australians.

So concerned am I about this project in Western Australian—and because I want to get the best for the workforce and the Australian community out of Barrow Island—that I have written to Chevron in the US, expressing my concerns about what I believe are Chevron's over promised and under delivered commitments on the Gorgon project. If the government is asked by Chevron to look at regulations I hope that it does some very sharp analysis of exactly what is going on with Chevron and why it over promised in the first place.

It is certainly time for Chevron to ensure that in future disclosures the company provides more accurate analysis of the prospects of some of its major projects, particularly those in Western Australia that have an impact on the state's finances, and which have an impact on the workforce. They certainly have an impact on the money returned, quite rightly, to Australians.

Speech Pathology

Senator MOORE (Queensland) (20:20): This afternoon, our Community Affairs References Committee brought down a report on speech pathology in Australia. During that process many people gave us detailed submissions and talked about the importance of the issue of communication in our community. We had a submission from Professor Mark Onslow, from the Australian Stuttering Research Centre, at the University of Sydney. He and his team generously offered our committee the chance to visit this extraordinary place. Earlier, in 2011, Tracy Bowden did an ABC program from the centre at Lidcombe. She opened her session by saying, 'In this modest demountable, children's lives are being changed.' Indeed, that is true.

Stuttering is something that we all know about, but unless you experience it I do not think anyone can really understand the limitations, stress and embarrassment it causes. As we know, stuttering is a speech disorder characterised by interruptions to speech, such as repeating sounds or words, hesitating, or prolonging sounds.

It is estimated that the disorder affects approximately five per cent of Australians, and usually develops in early childhood. In fact, people say that it develops very early, and in some cases it rights itself. But, as with so many conditions, early intervention has been proven to be the only way to ensure that people get the best support and have the opportunity to be cured of this condition, which can cause life-long distress and limit opportunities in education and employment.

There is evidence that, on average, people who stutter say one third less during a lifetime than others. And those severely affected can only say about a quarter as many words. Stuttering beings in early childhood and can continue to old age.

We found during our inquiry that communication workplace skills are now more important than ever. At the start of the 20th century, 80 per cent of occupations relied on manual skills, with only 20 per cent of occupations relying prominently on communication skills. We know that has changed dramatically. At the start of this century, the proportion of occupations relying on communication skills had increased to 62 per cent—and that continues to rise. Therefore, we know that the ability to communicate fluently and confidently is more
important than ever and, in fact, can determine your life choices, your occupation and your confidence in the future.

When we visited the Lidcombe premises of the Australian Stuttering Research Centre, we learned about the Lidcombe program. It is cleverly called after the suburb where these demountables exist! This is a behavioural treatment for young children who stutter. The focus is on young children, but the treatment is actually available through to adolescence. The whole focus of treatment is based on professional speech pathology; it is an intensive program that includes having a parent and their child working together. We know the care and concern of parents for their children is paramount. When we can engage parents in working with their children in any circumstances, it is a building and bonding experience. But when a parent who knows the difficulties their child is having with speech can work practically and personally with a child through such a program it is a win for everyone involved.

While we were there, we saw the program being presented by speech pathologists and we saw parents and their children working together. It was wonderful. I spoke to a little girl and her mum. The little girl was five years old. She was confident and happy. She had just had her program session. Then we talked with a young man in his late teens who had been working in the program for a number of years. It is tough enough being a young bloke working through stuttering issues without being confronted by a group of senators who want to know how he is feeling! That was a very tough experience for him. But he very generously explained to us some of the reasons that he had wanted to be involved in the program, the difference it had made in his life and the way that he mostly was able at that stage, after years of therapy, to confidently engage in communication. In many ways, he had put the horror of his stuttering behind him.

We know how important that is. The information around the bullying that occurs of young kids who stutter is just horrific. There is evidence that bullying is accepted within community standards. In 29 works of fiction containing a character who stutters, most often characters who stutter encounter mean-spirited teasing, name-calling, demeaning remarks or bullying from one or more other characters. That causes a lifelong problem. We know that, if you are subjected to that kind of bullying and exclusion as a young person, the pain and the exclusion continues through life.

We were told that parents of more than half of two-year-olds and nearly 90 per cent of seven-year-olds report that children are acutely aware of what is happening to their speech. There are reports that children saying, ‘I can't talk. Why can't I talk?’, being moody and hitting themselves in frustration are consistent with early development of speech related anxiety. That impacts on the whole family relationship.

A seminal report—and I do like that term!—provided direct video evidence of negative peer reactions to stuttering in preschool playgrounds. Such peer responses included interrupting, mocking, walking away and ignoring what the stuttering child was saying. One child was even physically assaulted as a direct result of his stuttering. The research is consistent with a series of studies with puppets showing that preschoolers readily recognise stuttering in their peers and form negative views of it.

So, on that basis, there can be no argument. If we can find a process that will help children to become confident in forming their sounds and have programs that will stop them having difficulty with speaking, that has got to be a very good thing. It will then translate into better...
results at school and better opportunities for employment. We also we found out from Professor Onslow that he believes that, particularly with young children, if the program is implemented effectively and early with intensive work, kids can even forget they ever stuttered. In all the information we heard in this particular committee, I think that was the thing that stayed in my mind most clearly after seeing the video of kids who are not able to form words, are lacking any kind of self-esteem and are afraid of being in social situations. We know that there is a proven program that is now working in Australia and internationally and which we can proudly say was developed in Australia at the Australian Stuttering Research Centre. If a child grows older they can forget they ever stuttered there can be no better result than that. We know from the previous information I mentioned that the need for effective communication is more important than ever.

Professor Onslow went on to say that we need to work in teams as well. We need to have professional speech pathologists but, with them, we need to have people with knowledge of psychology to work on the awful impact of the loss of esteem and fear that comes with not being able to communicate effectively. At the University of Sydney, they have a wonderful program in this area that has a multidisciplinary team. It involves people with psychology skills working together with people with speech therapy skills, creating team support that will then lead to a cure. I hesitate to use the word 'cure'. We try to keep away from that term when we work on our committee. But I think it is one. I think these young people can achieve a cure. There was much to learn from our community affairs committee inquiry on speech pathology services in Australia; however, this was one of the highlights. We saw professionals working together; we saw young lives changed. In fact, as Tracy Bowden said many years ago, within those modest demountables on the campus of the University of Sydney, children's lives are being changed. They are being changed because they now have the confidence to speak and communicate well and play a positive part in our society.

Renewable Energy Target

Senator KETTER (Queensland) (20:30): I speak tonight on the renewable energy target. I commence my contribution with a quote:

We will be keeping the renewable energy target. We have made that commitment. We have no plans or proposals to change it … We have no plans or intentions for change and we have offered bipartisan support to that.

Those are not my words. They are the words of the current environment minister before the last election, in what regrettably went on to become another broken promise from this government.

I wish to speak today on a matter of the utmost importance to Australia's future economic growth—the increasingly partisan policy being proposed and enacted by this coalition government. This government is making decisions now which will negatively affect levels of investment in a whole swathe of industries for many years to come. Actions designed to keep a minority of their backers and supporters happy will damage key Australian industries well into the future, long after their period in government has ended.

Last Thursday, the government released the report of the Expert Panel on the Renewable Energy Target Scheme. The panel found that the RET has met its objectives. It has encouraged significant additional renewable electricity generation and delivered a significant level of carbon dioxide-equivalent savings. Yet, in the face of the objective evidence found by
the panel of the RET’s success, the recommendations to government basically distil down to two options: scrap it fast or scrap it now.

I intend to make two points: to touch on how devastating the report's recommendations will be for the renewable sector and to highlight how the mixed messages and inconsistency of this government's policies are damaging industries and increasing investment risk.

The most recent example of this—the knee-jerk review of the renewable energy target—is a dangerous example of policy made in parallel to reality. It is a review written in reverse, with the desired outcome made crystal clear by the government well before the hand-picked panel set about their work. Since John Howard brought in the RET in 2001, it has gone through for elections with support from both sides of politics. The historical bipartisan support for the renewable energy target has led to billions of dollars in investment. Since its introduction, around $18 billion has been invested in Australian renewable energy and it is estimated that a further $18 billion would have been invested before 2020 under the current RET. The additional wind and solar power energy networks are beginning to drive down wholesale electricity prices. If you scrap the RET, power prices for Queensland families will increase.

A report released yesterday by Solar Business Services showed just how wrong the government is on this issue. The research showed that, should the government scrap the rate, demand for solar and jobs in solar would both fall by up to 50 per cent. To make matters worse, Queensland leads all other states in solar jobs and it is estimated that 96 per cent of solar businesses are small- to medium-sized enterprises. Queensland truly is the solar state of Australia. Queensland has more solar-generating capacity than South Africa, Mexico, Malaysia, the Netherlands, Taiwan and many other countries. If the government accepts the recommendations in this report they are anti small business and anti Queensland.

The current government is changing its mind so fast on issues that soon any investment with a lifespan of longer than a month may have to be considered at risk. Damaging reforms to health care, education, child care, and financial advice—none of these were canvassed with the public before the 2013 election. A growing renewable energy sector delivers jobs in manufacturing, mining and many other industries, creating export market opportunities, increasing our skills base and contributing towards a clean energy future.

The report of the expert panel itself points out that 144 countries have renewable energy targets and, of those, 138 have policy measures in place to support those targets being met. As the government is fast finding out, though, it is not only the solar and wind energy sectors that will be affected by the enacting of this report. The sugar industry has directly invested over $600 million in expanded co-generation projects in regional Queensland since the RET was introduced. As the Australian Sugar Milling Council indicates:

The bipartisan support policy has driven advances in technology and efficiency, refurbishment of milling infrastructure and the creation of new jobs. These significant investments (with a 15-20 year payback) increase industry confidence and broader investment across the sugar mills community.

The Sugar Milling Council goes on to say that any reforms that seek to lessen the effectiveness of the RET are directly inhibiting a potential further investment of $1.3 billion at existing mill sites and a further $2 billion to $4 billion in greenfield investments in Northern Australia, particularly Queensland. In my home state, co-generation at Racecourse
sugar mill currently contributes the equivalent of a third of Mackay's energy demand for over 50 weeks of the year. Right now this is happening—not in the future, but right now.

Importantly, the RET allows Australia to keep pace with international renewable energy policy and not fall behind the rest of the world. As the Sugar Milling Council goes on to say:

... As the international focus on enhancing energy security through renewable electricity and biofuels increases, international competitors are leveraging expansion of their industry through generous renewable energy and biofuel subsidies, generating a step change in the economic profit possible from sugar production. The Australian sugar industry does not have the support of similar subsidies—and the Australian RET is modest in comparison.

Put simply, the RET in its current form is creating jobs, driving investment and increasing energy security in regional Queensland. I wonder if the National Party senators in the chamber will stand up for investment in the sugar industry in Queensland. My guess is that they will not, but we can hope.

The lack of any credible replacement for the RET in the report takes this from farce to high farce. The government got rid of an effective and operational carbon pricing scheme, and they now want to scrap the RET. The apparent replacement, Direct Action, has to be one of the least credible environmental policies in Australia's living memory. Last year, a Fairfax Media survey of 35 prominent university and business economists found that only two out of 35 believed that Direct Action was a better way to limit Australia's greenhouse gas emissions than Labor's carbon pricing scheme. The report's reliance on the widely panned and detail-light direct action plan to pick up the slack of a scrapped RET is almost laughable.

I will now move to the broader economic risks that this report presents—the investment risks that this government seems all too ready to dismiss. But the government has an answer for that too: a change in terminology. I quote from the report:
The panel considers that the risk of significant policy change is better characterised as regulatory risk and is always present.

Yet calling a spade a bucket does not completely resolve the issue. The report goes on to say:

... the Panel recognises that repeal may result in adverse financial implications for existing investors.

The current RET policy is working, creating jobs, increasing competition and broadening our electricity supply base. Yet this government would put it all at risk to prop up a small sector of interest. While the government is going over the report, I would ask them to consider the approximately 24,000 jobs in the renewable energy sector currently on notice, the success of the scheme to date, and the risk to investment in Australia they would be creating by going down the murky road this report suggests.

In summing up, Australians overwhelming support renewable energy. The RET will drive down household electricity prices in the medium and long term. Changes to the RET will force small solar businesses to close and lead to a 40 to 50 per cent decline in jobs in the solar sector. More than half of Australia's rooftop solar panels are installed in non-metropolitan suburbs and rural and regional areas, with 61 per cent of solar businesses located outside capital cities. The evidence in favour of keeping the RET is overwhelming.

Renewable Energy Target

Senator SINGH (Tasmania) (20:40): I rise tonight to talk about Tony Abbott and the renewable energy target to remind us what we always knew and what we already know. We
know that this conservative Liberal government is actively pursuing a vision of returning Australia to the 1950s: the decade in which the only conceivable limit on coal powered generation was how quickly we could burn it; the decade when no one thought it obsolete or awkward that a man was a minister for women; and the decade when scientific reports cited by a male leader of the government linked abortion with breast cancer.

We know that Tony Abbott is leading a government—

The ACTING DEPUTY PRESIDENT (Senator Back): Prime Minister Abbott, if you would, Senator Singh. Thank you.

Senator SINGH: We know that Prime Minister Abbott is leading a government of yesterday's men, furiously advocating last century's ideas. We know that Prime Minister Abbott was always going to break the promises he told Greg Hunt to make about the coalition's commitment to keeping an unchanged renewable energy target. We know that the key points about these promises are not their clarity but their time frame. They were clear promises that the coalition made before the election, and every Australian knows by now the coalition's attitude to promises it made before the election.

We knew what the Prime Minister was planning when his office established the wrongly described 'independent review' of the RET, instead of taking expert advice from the Climate Change Authority's statute-mandated review of the RET. We knew what the Prime Minister was thinking, even though we knew his thinking was factually incorrect, when he blamed the RET for significant price pressures in the system—an opinion so inaccurate he must have borrowed it from Maurice Newman. We knew what the outcome of the review of the RET was going to be when the Prime Minister hand-picked an assortment of fossil-fuel boosters and climate-change sceptics to sit on the panel, but did not appoint anyone—not anyone—with any in-depth industry experience from the renewable energy sector. We knew the recommendations that the Prime Minister was demanding from the review when he refused to accept it in July and sent it back for more work to be done to illustrate the abolition of the renewable energy target.

I will admit that we did not know that the review would recommend the abolition or crippling of the renewable energy target because, despite its success, there are cheaper ways of abating carbon. For instance: an emissions trading scheme, which, being a market-based system, somehow goes against the coalition's new DNA; a carbon tax, which has been triumphantly abolished by Tony Abbott; and the purchase of international emissions permits, which Prime Minister Abbott also will not allow. We did not know that the review would describe the fact that the renewable energy target has created thousands of jobs and encouraged billions of dollars of investment as a problem, because it created too many jobs and encouraged too much investment. We cannot remember Dick Warburton ever describing the thousands of jobs created by the mining boom, and the billions of dollars invested in it, as a problem. No. We do know that about 96 per cent of Australia's 3,800 solar PV businesses are micro, small and medium-sized enterprises. And we do know that the solar small business industry took the Prime Minister at his word when he said that he would not axe or slash the renewable energy target.

The WA Renewable Energy Alliance has said killing off the subsidies could turn away thousands of customers who would have otherwise been expected to buy their systems. We know that in Australia's renewable energy powerhouse—my home state of Tasmania—
Premier Will Hodgman is worried about the Commonwealth's response to the RET. We know he should be worried, because Hydro Tasmania has warned that any winding back of the renewable energy target would threaten its wind farm developments worth $2 billion, while the proponent of a $150 million wind farm at Granville Harbour, on the investment-poor west coast of Tasmania, has said both renewable energy target options place its project in jeopardy.

We know that no Australians will benefit from the options in the Warburton report, but, lo and behold, the review's modelling estimates that the big companies operating existing coal-fired power generators will enjoy financial gains of about $9.1 billion. We know that these profits will come from increased electricity costs for consumers. We know that, rather than support innovative, 21st century renewable energy technology, the Prime Minister and his government want our early 20th century fossil fuel infrastructure to extract every tonne of coal and every molecule of gas. This is despite the fact that the renewable energy target is already driving down Australia's carbon pollution. It is despite the fact that nearly five million Australians have embraced solar power because it protects their families and small businesses from soaring power bills. It is despite the fact that, as at 31 January this year, two million solar installations had been supported by the renewable energy target, meaning that 24 per cent—nearly one-quarter—of the 8.4 million occupied private dwellings in Australia have a solar system. It is despite the fact that abolishing the small-scale renewable energy target would make the installation of solar rooftop panels up to $1,200 more expensive. It is despite the fact that families living on lower incomes are much more likely to install solar than families living on higher incomes. It is despite the fact that two-thirds of Australians support the renewable energy target in its current form and that, of the 24,000 public submissions to the government's compromised review of the renewable energy target, less than one-quarter of one percent of those submissions favoured reducing the renewable energy target.

Despite all of that, Prime Minister Tony Abbott wants the renewable energy target dead. We know this. He has been listening too long to Maurice Newman and Dick Warburton's antiscience and antieconomics agenda. I want to remind Prime Minister Tony Abbott's antiscience and antienvironment government of one important point that it is either forgetting or completely ignoring in the policy debate about climate and environment policy—that is, there is no planet B. The Labor Party know this. We have not forgotten it, and we are not ignoring it. We understand that this is the only planet we have and that it has finite resources and a finite ability to absorb the waste from our exploitation of those resources. Prime Minister Abbott has already shifted the impact of the carbon price from the carbon polluters to the planet. He will now say nothing about the existence of an extra 240 million tonnes of carbon dioxide pollution or its $14 billion cost. Why would he? We know they did not worry about that sort of thing in the 1950s.

Higher Education

Senator O'NEILL (New South Wales) (20:49): I rise to put on the record the threat posed to regional communities by the legislation that was put before the House of Representatives this day. This morning in that other place, the green chamber, legislation was passed that will see a generation of young people turn away from university—many of them not by choice but by the force of the hand of this unruly, miserly government of limited vision for this great nation, Australia. If these laws pass the Senate, we will witness a generation of social mobility
gone, a generation of economic growth lost and a generation of cultural mindfulness decimated.

By its very nature, education is a generational decision. Labor believes this now, and Labor believed it when we were in government. Labor will continue to fight for equality of access to education and the equality of opportunity that it brings. Labor will stand against the doubling and the tripling of university fees. Labor will stand against crippling debt. No young person or their family, no mature age student, should ever turn away from education because they think that they will not be able to afford it. Yet that is the Australia that this Liberal government—in coalition with the National Party and, from time to time, those on the crossbenches—is determined to create in this country that prides itself, and is lauded by other nations, as one of the most egalitarian in the world.

A young Australian or a mature aged Australian returning to study deserves access to education based on their competency, not on their capacity to pay.

Labor can be proud of what we accomplished during our time in government, not just increasing funding for higher education but opening the doors to 190,000 new students by removing the cap on student places. There could not be a greater contrast between what the Liberal Party believe in and what they enact in their policy when they come to govern, and what Labor believes. Those 190,000 new places are 190,000 capacity-building opportunities for Australians of all ages to remake their future, to strive for their dreams, to access education.

I was proud to be part of a government that boosted regional student numbers by 30 per cent and increased funding to regional universities by no less than 56 per cent. While the National Party might seek to claim that they are the party of the country regions, they are silent in this place, in the House of Representatives and in the meeting rooms with their Liberal partners, where they should be speaking up for the people of the bush. And they are silent on the atrocity that is about to be committed on higher education in this country. Labor is the sole dedicated voice to access to equal opportunity in education in this country.

Regional universities and their campuses create opportunities locally, where previously young people and mature aged students would leave, with their families if they needed to. Students were forced away from family, from places where they were connected to the land and from places where they were connected to their community; they were forced to look for employment in our cities. Regional universities transformed that life choice, but this government is intent on destroying that.

Sixty to 80 of every 100 graduates from regional university campuses start work in the region in which they studied. Talk about building on the back of great endeavour in the bush, enabling people to enhance their skills and contribute to the bush—that is a vision for a fair Australia, but it is one that this government is selling down the river every day. Today we saw the passage of a piece of disgraceful legislation in the House of Representatives which is on its way to this red chamber for consideration. And Labor, with 25 votes in this place, will stand firmly against it.

Our regional campuses play an invaluable role in maintaining our rural communities. I am so proud of a university with which I am particularly familiar, the University of Newcastle, and what they have accomplished as a young regional university. I have had the pleasure of
both studying and working at the University of Newcastle. It is an institution that has made its name in research, as one of the top 10 research universities in Australia. It is meeting the needs of the regional communities it serves while taking its place on the international stage, with the highest quality research endeavour. It is a university of which we can be truly proud. It is able to do this unconstrained by centuries of history and expectation like the sandstone universities so often are. It can write its own playbook and will write its own future. It can generate places for people who others may consider do not have a place at university, who others do not believe can participate in university and succeed at university.

The Newcastle university, with a mission and a dedication to all those in the community who sought further education, have created learning contexts and provided the support structures to enable those who are first in family to attend university to be successful. They have a brilliant reputation as the university in Australia that has created the most Indigenous doctors. A transformative learning experience is created in this wonderful regional university committed to egalitarian access to education. Newcastle university provides an academic home to 39,000 students from the Hunter, from the Central Coast and the mid-North Coast regions of New South Wales. It has campuses at Callaghan in Newcastle, in Newcastle City, at Ourimbah on the Central Coast, imminently in the centre of Gosford City and at Port Macquarie. These are areas that, without the University of Newcastle, would be completely unserved by education.

But today and in the near future it is the Prime Minister's cuts to higher education that threaten this offering. There is no mistaking the reality that regional campuses will be the hardest hit under the legislation that is proposed by this government. Newcastle university alone will lose tens of millions of dollars each year. The university clearly will not be able to make up this shortfall without burdening the students with higher fees—fees that students will not be able to recover. Regional universities often cater to and serve already relatively economically disadvantaged students. The census data indicates that 11.9 per cent of people on the Central Coast have achieved a bachelor's degree or higher, which is much, much lower than the figures in other parts of the country. Indeed, it is in stark contrast to the 20.7 per cent of people in New South Wales generally and the 40.5 per cent in the greater Sydney region who have a bachelor's degree or higher.

Regional universities and associated campuses are different and they are under existential threat from this shameful, miserly government. The University of Newcastle Central Coast campus has increased local participation in higher education, with more than 11,600 people graduating from the university campus of Ourimbah since 1995. It has transformed education in the region. It deserves a far better go than this disgraceful government is set to give it.

Steel, Mr Kurt

Senator DASTYARI (New South Wales) (20:59): Tonight I want to pay tribute to a friend that I lost this week. Kurt Steel died tragically in a bus accident while travelling on a much-deserved holiday in Bolivia. He was only 25 years old. Kurt was a friend, a colleague and a Labor warrior. I can only imagine the sense of loss that is being experienced by his mother, Jayne; his father, Phillip; and his siblings, Chris and Yasmin, as the sense of loss amongst Kurt's friends is enormous.

A few words in the Australian Senate will never fully capture his life and the contribution that Kurt made and was making to the lives of others. A few words, a few stories will never
truly capture the spirit, the energy and the love that he shared with everyone. While I am speaking tonight, there are many others who would want to pay their respects to our friend. Tonight I wish to offer my remarks on their behalf an honour his memory in a small way.

I have had the pleasure of spending the last few days with our countless friends and his countless friends, and it is clear there are thousands of ‘Only Kurt’ stories. They all start with the same outlandish premises. They all include some unthinkable exploit or achievement and always end with the same words: ‘Only Kurt.’ ‘Only Kurt could have pulled that off’ or ‘Only Kurt could have got away with that’—always, of course, with his trademark devilish grin. There are thousands of ‘Only Kurt’ stories and there were thousands more still to come.

The wide-ranging tributes that have flowed over the past few days stand as a testament of the extent that he was engaged in his community and how he worked effectively where divisions normally exist. Opposition leader Bill Shorten, ACT Chief Minister Katy Gallagher, deputy leader Andrew Barr, ACT opposition leader Jeremy Hanson, members of the Canberra press gallery, local sporting and community organisations—all have expressed their condolences for this young man.

Kurt as I knew him was a giant on the university student political scene, ensuring the ACT well and truly punched above its weight on the national stage. For a long time the phrase, 'I'll check with Kurt' spoke volumes about his influence, his judgement and his personality. He was behind ALP wins from university campuses through to territory, state and federal governments. He worked tirelessly for the party that he loved and was determined to see it stronger and always, where he could play a role, to see it in government. But Kurt was not one-eyed; he was a reformer and could be unabashedly critical if he thought a decision or a direction was not in the best interest of the party or the movement. He was both a strategist and a tactician and he was, as one of our close friends described him, ‘someone you always wanted in the trenches with you’.

I met him when he went to work for the New South Wales state minister Steve Whan, and that is where we became very close personal friends in the brief time he lived in Sydney during those tough days in the lead-up to the last state election in New South Wales. Kurt is not the kind of person you would easily forget. I would have liked him to have stayed in Sydney—I desperately tried to talk him into it—but his heart was always a little further south. His home was always here in Canberra, and he returned to the capital to work for Deputy Chief Minister Andrew Barr, where he worked hard in the office, in the party and in the community. As the member for Fraser, Andrew Leigh, said yesterday, it was impossible to go to a committee meeting, a trivia night or a party event without seeing Kurt. Kurt was everywhere.

It speaks volumes about the man that, despite never actually working in this building, there seems to be a Kurt sized hole in this place this week. Things seem a little quieter. We are all a little more subdued. When the American journalist Mary McGrory remarked to Patrick Moynihan after the death of their friend JFK, 'We will never laugh again,' Moynihan responded: 'Heavens, Mary. Of course we'll laugh again. It's just that we'll never be young again.'

Kurt was a burst of energy. He was a flash of light. He was taken far, far too soon. We thank Kurt for his dedication, his service and his passion. Kurt, we will all try to capture and to reflect some of the great spark by which you lived your life. The ALP, the ACT, your
family, your friends, everyone you touched—we are all in mourning now. We will miss you, my friend.

**Education Funding**

**Senator RHIANNON** (New South Wales) (21:06): This is about political donations and political influence. It is also about how the Abbott government proposes to divert money from public education to private colleges with little oversight of quality and accountability. We cannot answer all the questions this saga throws up, but it certainly warrants being opened up for public scrutiny. The state of private colleges littered with failures and questionable dealings is where we begin.

We only have to look at TAFE to see what effects the diversion of substantial public funding from TAFE to private, for-profit training providers has had on technical education in Australia. Thousands of TAFE jobs across the country have already been slashed as a result of this privatisation agenda, and there have been enormous fee increases, putting TAFE out of reach for many prospective students. TAFE's historic role in providing high-quality technical and further education to Australians of all ages and backgrounds and from all communities, including regional Australia, has been trashed. The same is set to happen to our public universities. If the coalition government has its way, universities will be forced to compete with private for-profit higher education companies for government funding.

Under the Abbott government's regressive reforms to higher education, we may see millions of dollars of public money flowing to private for-profit higher education providers such as Group Colleges Australia. Before the election, considerable lobbying by the private sector targeted high-profile Liberals to pressure them into adopting a policy that favours private for-profit higher education providers. A search by the Greens Democracy For Sale project shows that at least $200,000 in donations flowed from private for-profit education providers to the New South Wales branch of the Liberal Party from 1999 to 2011. By the end of 2011, it was generally thought such donations would cease after an extensive campaign by community groups and the Liberals. On 14 September 2011, a bill was tabled by then Premier Barry O'Farrell which banned any donations from corporations, unions or other organisations. Only individuals would be permitted to donate up to a cap of $5,000 to a political party and $2,000 to a candidate.

One of the private for-profit providers who made the donations between 1999 and 2011 is Group Colleges Australia. GCA is actually five colleges offering a range of educational qualifications from certificates to degrees. The Universal Business School of Sydney is one of these five colleges. In 2009 UBSS was accredited by the New South Wales government to offer degrees. Under the system set up by federal Labor, it then also had to apply for federal accreditation. Group Colleges Australia donated over $90,000 to the New South Wales Liberals between 2003 and 2011. In the year 2010-2011, GCA donated $53,249 to the New South Wales Liberals, far more than any other education provider.

The New South Wales Liberal-National government came to power in March 2011. The husband and wife team of Group Colleges Australia, managing director Alan Manly and general manager Jennifer McCarthy, have also made individual donations totalling $11,588 to the Liberal Party. Donations from Group Colleges Australia to the New South Wales Liberal Party dried up in 2012 when then Premier Barry O'Farrell introduced the new laws banning corporate donations. Ms McCarthy, who previously had never donated to the New South
Wales Liberals but whose corporate credit card was used to make donations on behalf of Group Colleges Australia, made her first donation of $3,500 in April 2012, two months after the legislation prohibiting businesses such as Group Colleges Australia from donating was passed.

Paul Nicolaou is one of three directors of the board of Group Colleges Australia. While he was a director of the company he was also the executive chair of the New South Wales Liberal Party's main fundraising body, the Millennium Forum. ICAC has received evidence that Liberal Party officials used the Millennium Forum and the Free Enterprise Foundation, both Liberal Party associated entities, to direct prohibited donations, including from property developers, into the 2011 New South Wales election campaign. This became public knowledge in May this year.

In July, Fairfax media revealed the New South Wales Liberal Party had shut down the Millennium Forum. A new body, the Federal Forum, was established to raise political donations for federal election campaigns. The Liberal Party connection with illegal fundraising has become even more questionable. Mr Nicolaou has been accused by ICAC of using the Millennium Forum to direct illegal political donations, including from property developers, to the New South Wales Liberals 2011 state election campaign. This was achieved by passing them through the Free Enterprise Foundation.

In July Mr Nicolaou resigned as chief executive of the New South Wales branch of the Australian Hotels Association, just days before resumption of the next round of ICAC inquiries. Mr Nicolaou has also faced questions in ICAC about lobbying on behalf of Australian Water Holdings—a company linked to the family of disgraced former Labor minister Eddie Obeid. Before ICAC, Mr Nicolaou was required to answer questions about an email that detailed a meeting that Mr Nicolaou negotiated between the then Brisbane lord mayor, Campbell Newman, and AWH chief executive Nick Di Girolamo. This was in 2007. A $5,000 donation to Mr Newman's re-election fund was made at this time. Mr Nicolaou also admitted to activities that damaged the reputation of businesswoman Kerry Schott. Ms Schott was then the chief executive of the Sydney Water Corporation, with which AWH was in dispute. Mr Nicolaou has acknowledged to the ICAC that there were no grounds for his unfounded remarks.

The saga continues. We understand that this Friday the executive of Brickworks will give evidence at ICAC about a $125,000 donation to the New South Wales Liberal Party. This was in 2010. I understand that Mr Nicolaou became a director at GCA on 3 December 2013, and I do acknowledge that these events that ICAC has investigated did not happen during the time when Mr Nicolaou was one of the three Group Colleges Australia directors. However, the way the political donations have flowed to the Liberals, I have come to the conclusion that these issues warrant investigation. For this reason I referred the discrepancies in the donations to ICAC. This is my letter to ICAC:

Dear Commissioner Latham,

Below please find information about Paul Nicolaou's links to Group Colleges Australia (GCA), which could profit from government funding under the coalition government's changes to higher education. GCA is a donor to the Liberal Party. There are discrepancies in the disclosure from the NSW Liberal Party and GCA. I believe these matters warrant investigation by ICAC.
Mr Nicolaou is a former chair of the Liberal fundraising body, the Millennium Forum, and a non-executive director of GCA. This company is well placed to benefit from federal government reforms to higher education that will see millions of dollars of public money flow to private for-profit higher education companies, such as GCA.

In particular, ICAC may wish to consider:

Nationally, the private college sector has donated at least $300,000 to the Liberal Party in the past decade.

Donation disclosures suggest that GCA is the largest single political donor across the sector, providing almost $80,000 to the NSW Liberals since 2009 in 35 separate transactions.

In 2010 and 2011, before the NSW Coalition government came to power, GCA donated $53,249.

From June 2010 to July 2011, only $22,164 of the total $38,709 donations can be traced in Liberal Party records, leaving a discrepancy of $16,545 in donations not declared by the party.

Liberal Party disclosures show donations that may not have been declared by the company.

Disclosures lodged with the NSW Election Funding Authority reveal personal donations from the husband and wife team of GCA, Managing Director Alan Manly and General Manager Jennifer McCarthy, totalling $11,588 since 2010. Donations from Ms McCarthy only began to flow after corporate donations were banned in 2012. Since that time, Ms McCarthy has made individual donations to the party totalling $7,770.

According to public documents Ms McCarthy, who had not previously donated to the NSW Liberals, made her first donation of $3,500 in April 2012—two months after the legislation banning corporate donations was passed.

I can supply documentation for the above information which was obtained from an analysis of information on the NSW Election Funding Authority and the Australian Electoral Commission websites.

I request that these matters are investigated by ICAC to determine the legality of these activities.

Further, I believe an investigation into whether figures linked to GCA lobbied the Liberal Party in relation to recent changes to higher education policy is warranted. These changes will benefit private colleges such as GCA.

I look forward to hearing from you.

Yours sincerely …

That is the letter I sent to ICAC. ICAC have referred my concerns to the New South Wales Election Funding Authority and I will now be taking this up with them. I think an investigation is warranted into why donations by Group Colleges and its owner are missing from Liberal Party returns.

In an interview with investigative journalist Wendy Bacon, a past GCA director told her that he was not aware of the details of the donations. Past director Mark Euvrard told New Matilda that he was aware that the only other director at that time, Alan Manly, who wholly owns GCA, was 'very close to the Liberal Party' but was 'not aware whether they'—that is, the donations—'were being done through him personally or through his wife or where they were coming from'. And he was 'astonished' when the New South Wales Liberal Party's chief fundraiser Paul Nicolaou was appointed as a director to Group Colleges Australia. I believe that Mr Nicolaou should step aside from his senior role with Group Colleges Australia while it is still possible he may be called to give evidence at ICAC. Mr Nicolaou continues to be
one of three directors of GCA. The other two directors are owner Alan Manly, a person with a long involvement in Liberal Party politics, and an academic who is based in China.

In 2013 Alan Manly accompanied New South Wales MP Geoff Lee on a trip to India. As reported by *New Matilda*, also on the trip was Sanjay Patel, who, according to Mr Lee's pecuniary interest register, paid for Dr Lee's travel costs. In 2011 Manly made a presentation to the then Leader of the Opposition, Tony Abbott, and a host of senior Liberals on the deregulation of the tertiary sector at a Liberal Party think tank. It was attended by a who's who of Liberal Party MPs and donors, including Mr Michael Baird and Senator Eric Abetz, along with Mr Abbott.

In June this year, after I put out a press release about GCA donations and that I had written to ICAC about it, I was sent an extensive email about GCA from a former employee. The email from the former employee said in part:

My first day I wandered in and bumped into Tony Abbott coming out of the lift. Other teachers told me that he was a regular there because of his friendship with the college's owner, Alan Manly. They told me that it was Manly who had stacked the Warringah branch for Abbott's 1994 preselection.

An investigation of GCA's registration with TEQSA, the Tertiary Education Quality Standards Agency, shows that on 6 February 2014 GCA was given only conditional approval. The conditions require:

GCA must by 1 December 2014 and 1 December 2015 provide TEQSA with evidence which demonstrates that GCA’s Academic Board:

i. has implemented systems to protect academic quality and integrity to meet the requirements of Provider Registration Standard 4

ii. provides academic leadership, develops and oversees progress in implementation of a culture of scholarship at GCA, and on staff professional development

iii. ensures GCA has appropriate numbers of suitably qualified and experience staff for management and delivery of its higher education courses of study, in light of actual and projected enrolments in the courses

iv. ensures quality assurance is implemented effectively to drive improvement of GCA’s higher education operations

v. undertakes systematic monitoring, review and improvement of GCA’s higher education operations, including through the collection and analysis of relevant data.

Despite these conditions, Universal Business School Sydney continues to state on its website:

… UBSS is subjected to rigorous scrutiny and review by TEQSA, where it must evidence: academic quality, sound corporate governance, sound financial management …

… UBSS has full government approval to offer its Bachelor degree programs, equivalent to those offered by Australian universities, as the Australian government has certified it meets the above requirements.

There is nothing on Group Colleges' website to warn prospective students that UBSS has only been given conditional approval. Only a rare few would know to look at TEQSA's national register, where they will discover that GCA was unable to meet the basic threshold standards for corporate governance, which are set out in detail under the Higher Education Threshold Standards. GCA's inability to satisfy TEQSA raises questions about its original NSW
accreditation, and why, in the light of its inability to demonstrate basic board accountability, TEQSA has allowed GCA to keep offering its courses.

If this is the current situation with Group Colleges, one can only fear for the education sector if it is exposed to problems that will come with even weaker regulation and cuts to TEQSA. In fact, Group Colleges is a mixed business which has also invested in a travel agency recently relaunched by Prime Minister Tony Abbott's sister, Liberal Sydney City Councillor Christine Forster. There is more to Group Colleges operations in Sydney. Its registered office is based in the centre of Sydney at MyQual, which was registered as a migration and educational consultant that advertises itself as handling international application for study for other local colleges and universities, for which those institutions pay it a commission.

Group Colleges is not the only one to foster links with the Liberal Party that were not transparent. There has been considerable reporting in the media about the Whitehouse School of Fashion and the $60,000 scholarship that it gave Mr Abbott's daughter, Frances Abbott. The Guardian reported in May:

The managing director of the Whitehouse Institute of Design, who is understood to have personally funded a $60,000 scholarship for the prime minister's daughter, issued a direct "plea" to Tony Abbott to "reduce red tape across the board" in higher education at an exclusive event last year, but the institute says any suggestion these remarks were an attempt at lobbying or seeking to interfere with the regulatory process are "ridiculous".

There are many concerning aspects to this flow of private money to the Liberal Party. Was the law broken? Was the money given to buy access and influence? Did people collude to bypass the stricter donation laws in NSW? These questions should be answered.

We need national uniform electoral funding laws that put in place a ban on donations from for-profit groups and strict limits on all other donations, caps on election expenditure, and greater transparency of donations to help clean up the corrupting influence of political donations. And, most importantly, we need a national ICAC. It is time that there was a corruption watchdog for federal politics.

With all the revelations at the NSW ICAC, I find many people joke with me about how corrupt NSW is. Yes, what is happening is shameful. But let's remember why we know about it is because some courageous people have given evidence and, most importantly, we have a state ICAC. What would be revealed if there were an ICAC-type body in Queensland or at the federal level? Why is the Abbott government resisting setting up a national ICAC? This question will grow louder the longer the federal parties—Liberal, National and Labor—refuse to set up a national ICAC.

Senate adjourned at 21:25

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority (confidentiality) determination—No. 12 of 2014 [F2014L01164].
Civil Aviation Act 1988—
Civil Aviation Order 100.91—Specification — examinations for aircraft maintenance engineer licence category airframes—CASA 202/14 [F2014L01158].
Civil Aviation Order 100.92—Specification — examinations for aircraft maintenance engineer licence category engines—CASA 203/14 [F2014L01160].
Civil Aviation Order 100.93—Specification — examinations for aircraft maintenance engineer licence category radio—CASA 204/14 [F2014L01161].
Civil Aviation Order 100.94—Specification — examinations for aircraft maintenance engineer licence category electrical—CASA 205/14 [F2014L01162].
Civil Aviation Order 100.95—Specification — examinations for aircraft maintenance engineer licence category instruments—CASA 206/14 [F2014L01163].
Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—
Civil Aviation Order 82.6 Amendment Instrument 2014 (No. 1) [F2014L01169].
Civil Aviation Order (Flight Crew Licensing) Repeal and Amendment Instrument 2014 (No. 1) [F2014L01177].
Civil Aviation Safety Regulations 1998—
Conditions on authorisations under regulation 11.068 — flight crew licences and aircraft endorsements—CASA 244/14 [F2014L01180].
Exemption — aerial application rating and firefighting endorsement—CASA EX114/14 [F2014L01181].
Exemption — for operations into Lord Howe Island – Eastern Australia Airlines Pty Limited—CASA EX107/14 [F2014L01168].
Exemption — instrument proficiency check – Virgin Australia—CASA EX110/14 [F2014L01179].
Exemption — of certain Cobham Aviation Services’ pilots from low-level rating requirement—CASA EX103/14 [F2014L01170].
Lateral Fuselage Tie Rods – Removal and Replacement—AD/DH 60/9 Amdt 1 [F2014L01167].
Corporations Act 2001—
Amendments to Australian Accounting Standards – Accounting for Acquisitions of Interests in Joint Operations—AASB 2014-3 [F2014L01173].
Defence Act 1903—Section 58B—
Higher duties allowance – amendment—Defence Determination 2014/44.
Reserve Assistance Program—Defence Determination 2014/43.
Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – Eastern Tuna and Billfish Fishery (26 August 2014) (deletion)—EPBC303DC/SFS/2014/31 [F2014L01154].


Amendment of List of Exempt Native Specimens – Western Australian Beche-de-mer Fishery (26 August 2014)—EPBC303DC/SFS/2014/33 [F2014L01157].


National Health Act 1953—

Amendment Determination under section 84AH (2014) (No. 3)—PB 65 of 2014 [F2014L01175].

National Health (Listed drugs on F1 or F2) Amendment Determination 2014 (No. 8)—PB 70 of 2014 [F2014L01171].

National Health (Weighted average disclosed price – October 2014 reduction day) Amendment Determination 2014 (No. 1)—PB 67 of 2014 [F2014L01178].


The following documents were tabled by the government:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 April to 30 June 2014.


Treaties—Bilateral—Text, together with national interest analysis—

Agreement between the Government of Australia and the Government of Japan concerning the transfer of Defence Equipment and Technology (Canberra, 8 July 2014).


Departmental and Agency Contracts

The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended:

Departmental and agency contracts for 2013-14—Letter of advice—Foreign Affairs and Trade portfolio.

Departmental and Agency Files

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:
Indexed lists of departmental and agency files for the period 1 July to 31 December 2013—Statement of compliance—Employment portfolio.