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SITTING DAYS—2011

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FORTY-THIRD PARLIAMENT  
FIRST SESSION—FOURTH PERIOD

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

Senate Office holders  
President—Senator Hon. John Joseph Hogg  
Deputy President and Chair of Committees—Senator Stephen Shane Parry  
Temporary Chairs of Committees— Senators Thomas Mark Bishop, Suzanne Kay Boyce, Patricia Margaret Cossin, Mary Jo Fisher, David Julian Fawcett, Helen Evelyn Kroger, Scott Ludlam, Gavin Mark Marshall, Claire Mary Moore and Louise Clare Pratt  
Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans  
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy  
Leader of the Opposition in the Senate—Senator Hon. Eric Abetz  
Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC  
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig  
Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

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

Printed by authority of the Senate
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(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

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

**PARTY ABBREVIATIONS**


**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—A Thompson
GILLARD MINISTRY

Prime Minister Hon. Julia Gillard MP
Deputy Prime Minister, Treasurer Hon. Wayne Swan MP
Minister for Regional Australia, Regional Development and Local Government Hon. Simon Crean MP
Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate Senator Hon. Chris Evans
Minister for School Education, Early Childhood and Youth Hon. Peter Garrett AM, MP
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate Senator Hon. Stephen Conroy
Minister for Foreign Affairs Hon. Kevin Rudd MP
Minister for Trade Hon. Dr Craig Emerson MP
Minister for Defence and Deputy Leader of the House Hon. Stephen Smith MP
Minister for Immigration and Citizenship Hon. Chris Bowen MP
Minister for Infrastructure and Transport and Leader of the House Hon. Anthony Albanese MP
Minister for Health and Ageing Hon. Nicola Roxon MP
Minister for Families, Housing, Community Services and Indigenous Affairs Hon. Jenny Macklin MP
Minister for Sustainability, Environment, Water, Population and Communities Hon. Tony Burke MP
Minister for Finance and Deregulation Senator Hon. Penny Wong
Minister for Innovation, Industry, Science and Research Senator Hon. Kim Carr
Attorney-General and Vice President of the Executive Council Hon. Robert McClelland MP
Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate Senator Hon. Joe Ludwig
Minister for Resources and Energy and Minister for Tourism Hon. Martin Ferguson AM, MP
Minister for Climate Change and Energy Efficiency Hon. Greg Combet AM, MP

[The above ministers constitute the cabinet]
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<tr>
<td>Minister for the Arts</td>
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<td>Minister for Social Inclusion</td>
<td>Hon. Tanya Plibersek MP</td>
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<td>Minister for Privacy and Freedom of Information</td>
<td>Sen. Hon. Mark Arbib</td>
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<tr>
<td>Minister for Sport</td>
<td>Hon. Brendan O'Connor MP</td>
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<tr>
<td>Special Minister of State for the Public Service and Integrity</td>
<td>Hon. Gary Gray AO, MP</td>
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<tr>
<td>Assistant Treasurer and Minister for Financial Services and Superannuation</td>
<td>Hon. Bill Shorten MP</td>
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<tr>
<td>Minister for Employment Participation and Childcare</td>
<td>Hon. Kate Ellis MP</td>
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<tr>
<td>Minister for Veterans' Affairs and Minister for Defence Science and Personnel</td>
<td>Hon. Warren Snowdon MP</td>
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<tr>
<td>Minister for Defence Materiel</td>
<td>Hon. Jason Clare MP</td>
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<tr>
<td>Minister for Indigenous Health</td>
<td>Hon. Warren Snowdon MP</td>
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<tr>
<td>Minister Assisting the Prime Minister on Mental Health Reform</td>
<td>Hon. Mark Butler MP</td>
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<tr>
<td>Minister for the Status of Women</td>
<td>Hon. Kate Ellis MP</td>
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<tr>
<td>Minister for Social Housing and Homelessness</td>
<td>Sen. Hon. Mark Arbib</td>
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<tr>
<td>Special Minister of State</td>
<td>Hon. Gary Gray AO, MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>Sen. Hon. Nick Sherry</td>
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<tr>
<td>Minister for Home Affairs and Minister for Justice</td>
<td>Hon. Brendan O'Connor MP</td>
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<tr>
<td>Minister for Human Services</td>
<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Cabinet Secretary</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
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<td>Parliamentary Secretary to the Treasurer</td>
<td>Hon. David Bradbury QC, MP</td>
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<tr>
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<td>Sen. Hon. Jacinta Collins</td>
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<tr>
<td>Minister Assisting the Prime Minister on Digital Productivity</td>
<td>Sen. Hon. Stephen Conroy</td>
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<td>Parliamentary Secretary for Disabilities and Carers</td>
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<td>Parliamentary Secretary for Community Services</td>
<td>Hon. Julie Collins MP</td>
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<td>Parliamentary Secretary for Sustainability and Urban Water</td>
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<td>Hon. Tony Abbott MP</td>
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<td>Hon. Julie Bishop MP</td>
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<tr>
<td>Leader of the Nationals and Shadow Minister for Infrastructure and Transport</td>
<td>Hon. Warren Truss MP</td>
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<td>Senator Hon. Eric Abetz</td>
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<td>Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate</td>
<td>Senator Barnaby Joyce</td>
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<tr>
<td>Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee</td>
<td>Hon. Andrew Robb AO, MP</td>
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<td>Shadow Minister for Energy and Resources</td>
<td>Hon. Ian Macfarlane MP</td>
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<td>Shadow Minister for Defence</td>
<td>Senator Hon. David Johnston</td>
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<td>Hon. Malcolm Turnbull MP</td>
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<td>Mr Scott Morrison MP</td>
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[The above constitute the shadow cabinet]
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Shadow Minister for Employment Participation  
Hon. Sussan Ley MP

Shadow Minister for Justice, Customs and Border Protection  
Mr Michael Keenan MP

Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation  
Senator Mathias Cormann

Shadow Minister for Childcare and Early Childhood Learning  
Hon. Sussan Ley MP

Shadow Minister for Universities and Research  
Senator Hon. Brett Mason

Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House  
Mr Luke Hartsuyker MP

Shadow Minister for Indigenous Development and Employment  
Senator Marise Payne

Shadow Minister for Regional Development  
Hon. Bob Baldwin MP

Shadow Special Minister of State  
Hon. Bronwyn Bishop MP

Shadow Minister for COAG  
Senator Marise Payne

Shadow Minister for Tourism  
Hon. Bob Baldwin MP

Shadow Minister for Defence Science, Technology and Personnel  
Mr Stuart Robert MP

Shadow Minister for Veterans’ Affairs and Shadow Minister Assisting the Leader of the Opposition on the Centenary of ANZAC  
Senator Hon. Michael Ronaldson

Shadow Minister for Regional Communications  
Mr Luke Hartsuyker MP

Shadow Minister for Ageing and Shadow Minister for Mental Health  
Senator Concetta Fierravanti-Wells

Shadow Minister for Seniors  
Hon. Bronwyn Bishop MP

Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate  
Senator Mitch Fifield

Shadow Minister for Housing  
Senator Marise Payne

Chairman, Scrutiny of Government Waste Committee  
Mr Jamie Briggs MP

Shadow Cabinet Secretary  
Hon. Philip Ruddock MP

Shadow Parliamentary Secretary Assisting the Leader of the Opposition  
Senator Cory Bernardi

Shadow Parliamentary Secretary for International Development Assistance  
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Roads and Regional Transport  
Mr Darren Chester MP

Shadow Parliamentary Secretary to the Shadow Attorney-General  
Senator Gary Humphries

Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee  
Hon. Tony Smith MP

Shadow Parliamentary Secretary for Regional Education  
Senator Fiona Nash

Shadow Parliamentary Secretary for Northern and Remote Australia  
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Local Government  
Mr Don Randall MP

Shadow Parliamentary Secretary for the Murray-Darling Basin  
Senator Simon Birmingham

Shadow Parliamentary Secretary for Defence Materiel  
Senator Gary Humphries

Shadow Parliamentary Secretary for the Defence Force and Defence Support  
Senator Hon. Ian Macdonald
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Shadow Parliamentary Secretary for Primary Healthcare
Dr Andrew Southcott MP

Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health
Mr Andrew Laming MP

Shadow Parliamentary Secretary for Supporting Families
Senator Cory Bernardi

Shadow Parliamentary Secretary for the Status of Women
Senator Michaelia Cash

Shadow Parliamentary Secretary for Environment
Senator Simon Birmingham

Shadow Parliamentary Secretary for Citizenship and Settlement
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Immigration
Senator Michaelia Cash

Shadow Parliamentary Secretary for Innovation, Industry, and Science
Senator Hon. Richard Colbeck

Shadow Parliamentary Secretary for Fisheries and Forestry
Senator Hon. Richard Colbeck

Shadow Parliamentary Secretary for Small Business and Fair Competition
Senator Scott Ryan
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Tuesday, 1 November 2011

The President (Senator the Hon. John Hogg) took the chair at 11:00, read prayers and made an acknowledgement of country.

BILLS
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Clean Energy Regulator Bill 2011
Climate Change Authority Bill 2011
Second Reading
Debate resumed on the motion:
That these bills be now read a second time.

Senator Hanson-Young (South Australia) (11:01): It is with great pride that I rise today to commend the Clean Energy Bill 2011 and associated bills to the Senate. I was a teenager at high school, just forming my political views, when Senator Brown here, the Leader of the Australian Greens, first brought the issue of global warming into this place and spoke about rising sea levels. That was in 1996. I witnessed a lack of response from the federal parliament, from the major parties, from business groups and from the media. Like many young people, I resolved to follow the lead of Senator Brown and my other Greens colleagues, including of course Senator Milne, in demanding more from our nation's political leadership.

My peer group and I grew from students into adults and brought with us our clear and constant concern about the impending crisis of climate change. To us, it was not a far-off rumour or a laughable myth. There were reputable scientists telling us that greenhouse gas emissions were causing ice to melt, warmer climates, increased ocean temperatures and acidification, damaged ecosystems and species demise. But for many years it appeared that the major parties were not listening or were not willing to boldly tackle the problem—global, complicated and challenging as it was.

How fortunate, then, that the Australian public saw another way. In a wonderful twist of fate, the last election saw five new Greens MPs, four in this place and one in the other, and a minority government, allowing us to
put this issue squarely on the political agenda through the formation of the Multi-Party Climate Change Committee. The work my colleagues put into that process was very welcome and I give great thanks to them. The end result of that 10-month process is the raft of clean energy legislation before the Senate today. It comes to our chamber sculpted and reinforced by long hours of intensive consultations with scientists, economists, business stakeholders and community members, all willing to do what they can to make sure we do not continue to delay taking action. It is a great thing indeed to be a senator at the time the federal parliament is finally taking this historic reformist step in the defence of our biosphere and all the creatures living within it.

However, it is not just Senator Brown, Senator Milne and all those involved with the multiparty committee who should stand up and take a bow. Young Australians have been particularly vocal on this issue and their involvement, the raising of their voices and their demand for action have been crucial in bringing forward this momentous reform. As the Greens spokesperson for youth, I have watched with interest, and often admiration, as the case for urgent and immediate action has been prosecuted in diverse ways by the next generation of Australian leaders. From online campaigns to parliamentary delegations, from forums and workshops to rock concerts and flash mob dances, a whole generation across the Australian community has told us, the law makers, that they expect Australia to address climate change and to stop delaying action. It will be the fulfilment of our obligation to them and to future generations when the clean energy legislation takes effect in July 2012.

The urgency of this action stretches far beyond Australia's sovereign borders. It directly involves the lives and livelihoods of the world population. As a proud migrant country with flourishing multicultural communities, we should be more aware than ever of the risks posed to our fellow nations. Climate change will ultimately affect people as much as environments and ecologies. Unfortunately, it will most affect the poorest of all. Back in 1990, the Intergovernmental Panel on Climate Change noted that the greatest single consequence of climate change could be on human migration, with millions of people displaced by shoreline erosion, coastal flooding and agricultural disruption. This prediction is already coming true. Just two weeks ago, Sir John Beddington, the Chief Scientific Adviser to the British government, made the alarming observation:

Since 2008, on average, 25 million people a year have been displaced by extreme weather events, and that's in a world of relatively benign climate change.

The effect of climate change on migration patterns and regional economies has been significant so far. Even with immediate action by the international community, it will only worsen. Any developed and geographically well-situated nation which is not willing to take action on climate change will have to be fully prepared to support and assist environmental refugees who may be displaced from highly vulnerable localities such as Singapore, Shanghai, Calcutta, Dhaka and much of the Vietnamese delta.

There will of course be many people who will be too impoverished, politically disenfranchised or ill-equipped to seek haven elsewhere. The peer reviewed report Migration and global environmental change, released two weeks ago by Sir John in association with 350 specialists in 30 countries, says that by 2060 up to 170 million people will be trapped in low-lying coastal floodplains subject to extreme weather such as floods, storm surges, landslides and rising sea levels. Further
complications like food and fresh water scarcities, border disputes and economic and social tension would create conditions ripe for instability and conflict. For our public discourse, at least, Australia is permanently oversensitive about the arrival by boat of a few thousand asylum seekers per year. How will we cope when the numbers of desperate people are much higher? We need to put this all into perspective.

As a good global citizen Australia has a responsibility to other nations to do what it can, and so it is exciting to see that the clean energy legislation before the Senate today. It has been widely admired as one of the most effective and well-structured programs for transforming the Australian economy for a cleaner, greener future. It will place us as a leader in the world. It will place our next generation on a good footing to know that we are taking the action necessary and it will give them the opportunity to participate.

Australia does not emit its fair share of greenhouse gases—it is far above that. It is the world's 15th largest total emitter and has the highest amount of emissions per person among the major polluters. As a wealthy, developed and highly liveable nation, we owe it to our less fortunate neighbours, such as those Pacific nations currently fighting for survival, to do all we can. It is not good enough to simply pull down the shutters and pretend that it will all go away.

All people have the right to clean water, good shelter and health but these inherent human rights will be compromised by catastrophic climate change unless all nations start to work towards bringing down emissions within the next five years. No one is suggesting that there is not a long and difficult road still to travel before this goal is reached, but at least Australia will no longer be seen to be avoiding its responsibility.

Just as the environment has changed, community attitudes have also changed. No longer do we accept the false dichotomy between the economy and the environment. In 21st century Australia we cannot have economic growth and job creation that is not environmentally sustainable. The common misconception when discussing the need to transition to a low-carbon or no-carbon economy is that there is a slash and burn approach to jobs. The reality is, however, that those industries that are environmentally sustainable are guaranteed to survive in the long term. For young people this is absolutely paramount to our long-term prosperity.

As a South Australian I am only too aware of the vulnerability of some of our local industries to climate change. For instance, when I first began my term in the Senate, I had the opportunity to visit local communities along the Murray-Darling Basin and see first hand the corrosive damage of droughts. Not only was the drought destroying jobs and robbing farmers of their incomes; it was also strangling entire communities—infrastructure and the environment.

Who could forget the iconic South Australian production of Storm Boy that showcased to the nation and to the world the natural beauty of our Ramsar listed lower lakes? This natural beauty, which was on the brink of destruction at the depths of the drought over the last decade, shows us that action must be taken.

As Australia's driest state, South Australia will experience devastating outcomes from unchecked climate change. My fellow Greens member Senator Wright has already raised the dire predictions for our state as expressed in the Climate Commission's Critical decade report. Those ominous outlooks are reflected elsewhere. The Bureau of Meteorology indicated that by 2030 days
will get even hotter and drier in Adelaide than they are today, with more days above 35 degrees, more extreme fire danger days and longer fire seasons. I happen to live in the Adelaide Hills and I know the concern our communities have every summer in relation to bushfires. These concerns and fears will only grow.

Climate change also threatens one of our most precious resources: water. The Murray-Darling river system, which is already experiencing problems with salinity, will suffer further reductions in water quality by 2050. We are about to see a final plan from the Murray-Darling Basin Authority for how to tackle the overallocations of the Murray-Darling system. The big fault in this plan is that it has not considered the impact of climate change, the drying climate and the lower rainfall. Declines in rainfall will lead to a greater frequency and severity of drought, with decreased flows in water supply catchments. However, research also shows that despite a drier average there may also be an increase in flood risk due to an increase in extreme rainfall.

It is a terrible irony that floodwaters, while destroying some communities, have revived others in the last couple of months. This should not serve as an excuse for complacency in tackling these issues. We know that communities must be working with government and we must have leadership to tackle these issues. This bill goes some way towards doing that. A small window of opportunity is open and we must not allow it to shut. We must not allow it to shut for the sake of some people who are arguing for delay.

As well as being the Greens spokesperson on early childhood and child care, I am mother to a four-year-old girl. Aside from all the crucial environmental and economic reasons for passing this legislation that have been raised consistently in this chamber for years—since Senator Bob Brown first entered this chamber in 1996—I only need to look at my daughter to be reminded that securing a cleaner future for her is one of the most important things that I, and my colleagues, can do as in this place. We must do this as responsible members of our community and as elected members of our community. I join with the sentiments of parents around Australia arguing that we have to take action, if not for the sake of our river systems, our clean air and for our food security, then for our children. I commend these bills to the Senate.

Senator MARK BISHOP (Western Australia) (11:14): I last spoke on the merits of the policy behind a similar package of bills when they were defeated by the opposition back in December 2009. I therefore do not intend to cover all the ground but instead want to concentrate on the impact on local government of this clean energy legislation. Local government, as we all know, form a large part of the top 500 polluters—not only because of their landfill responsibilities but also because of the significant pressures on their operating costs. I have spent a considerable time on this issue with local government in Western Australia and they have been effective in having had their case heard in Canberra. In summary, the concerns of local government relate to the increased operating costs for the conduct of council business, including electricity for streetlighting, fuel for heavy vehicles and other council transport, consumables for road construction, and other infrastructure outlays.

The long-term capital costs of investing in clean energy initiatives—those activities necessary if advantage is to be taken of the new, low-cost energy regime—include new, energy efficient streetlighting; upgrades to community facilities; and the impact of
landfills, which are large producers of methane gas in particular. These are very reasonable concerns and, while they are readily answered, they reflect local concerns regarding the likely cost of services provided. They are also consistent with a very longstanding commitment local government have toward environmental management across the board—a direct reflection of their grassroots community responsibility, of course. It reflects the level of concern expressed at the community level about local action on local issues. This is especially the case with environmental controls.

It is now accepted that improved, liveable urban areas and the continuing viability of local industry production are dependent on good local administration—and that includes not just waste management but also control over stormwater, transport, building design and siting, industrial growth and investment, and general land-use planning, in which environmental criteria are largely predominant. It is local government which actually makes it happen and where the consequences of high-level policy change is first felt.

With respect to the first and major matter, increased costs, provision is already made through the indexation of financial assistance grants to local government. The indexation will reflect increased operating costs. On top of normal cost increases incurred by councils, Treasury estimates the cost inflation caused by this legislation across the entire economy will be only 0.7 per cent. For local government that same estimate will be less, at 0.5 per cent. For road construction costs in particular, the estimated impact will be only 0.2 per cent. That should be compared with the impact of the GST, which was 2.5 per cent—an increase which was quickly absorbed by the economy.

I should also make it clear for those councils where general rates can be 50 per cent of their income that state based rate-pegging policies should not be a disadvantage. I am advised that rate-pegging is generally linked to increases in the CPI. Ultimately, this is something to be negotiated between councils and state governments. Nor should the new costs affect the capacity of ratepayers to meet increased rates. For most—that is, more than six million people—they too will be compensated for any cost increases.

Within these costs for councils, it should also be pointed out that increased fuel costs for heavy vehicles and earthmoving equipment will not eventuate until 2014. It is at this time that carbon charges will be applied to transport fuel across the board—that is, except for LNG, CNG, LPG and ethanol, all of which will continue to receive the full fuel tax credit. Also, the current fuel discount provided to heavy vehicles and off-road equipment will be slightly reduced, although it will remain at a discount compared with ordinary road users.

This brings me to the implications for local government in converting their business to be more carbon efficient, especially energy efficient. The largest single energy cost for many councils is the cost of streetlighting. It's estimated by the Australian Local Government Association to be 50 per cent of councils' electricity bills. With projected increases in power costs of 10 per cent in 2012-13, ALGA estimates that this will increase councils' costs nationally by $29 million. Streetlighting will account for $17.5 million of the increase. However, as ALGA also acknowledges, energy use has great potential for abatement.

To help manage council energy costs, the government announced the Low Carbon Communities Program in 2010. This program has now been expanded to $330 million. The new package includes $200
million in funding for the Community Energy Efficiency Program. This program will help local government and community organisations upgrade the energy efficiency of their facilities, including streetlighting. I am very aware many councils have made great strides in recent years to better control their costs. Of course, electricity usage has always been high on that agenda. Shortage of capital has, however, been a constant problem, hence the need for this program. A further $100 million will be available to consortia of local government and community groups to improve the energy efficiency of low-income households. Additionally, the government has also provided a new Clean Energy Finance Corporation, funded to $10 billion. This will clearly assist councils and community groups wanting to invest in clean energy options.

Finally, I want to address the difficult issue of landfill sites. ALGA asserts landfill sites comprise 191 of the 500 identified major polluters, the subject of this legislation. Landfills generate methane gas, which is a greenhouse gas with the most significant effect on the environment. What is worse, landfills continue to produce methane for up to 20 years after closure, making this a significant imposition for landfill operators. Briefly, the policy for landfill in this package is as follows. The new carbon price in this legislation will only apply to the emissions from waste deposited after 1 July 2012. It will only apply to large facilities which emit more than 25,000 tonnes of CO₂. Smaller sites will not be considered until at least 2015-16. I should note that this should remain unchanged unless there is evidence of waste diversion to smaller sites. Further, initiatives at these landfills to reduce and capture emissions such as methane will qualify as credits under the Carbon Farming Initiative. These can be used to offset up to 100 per cent of the carbon price incurred, not five per cent as it is now.

Where energy is generated, renewable energy certificates will be issued under the Renewable Energy Target. These can also be used as offsets. This will create a greater incentive to better manage waste through recycling, composting and the capture of methane for power generation. Many of the managers of these landfill sites are local government authorities. For some, these initiatives are not new. However, we need to acknowledge that, in response to ratepayers' concerns, the management of landfill dumps has been radically reformed in the last decade in particular. I should mention here local government's enthusiasm under the former Greenhouse Friendly program when investments were made to obtain carbon offsets. This sometimes entailed considerable investments, which were not realised in some cases when the program was cancelled in June 2009. That investment has included not just sophisticated approaches to recycling practices and composting of garden refuse; it is also the better management of toxic substances and the collection of methane gas. It has led to the generation of bioelectric generators of which there are currently 66 in operation.

Local governments around Australia should be applauded for their leadership. That is why they are so well placed to take advantage of the new Clean Energy Finance Corporation, to be chaired by Ms Jillian Broadbent AO. The clean energy fund will drive innovation through commercial investments in clean energy through loans, loan guarantees and equity investments from the private sector. Local government is well placed to take advantage of this fund, especially when combined with the potential of other carbon credit initiatives now magnified for existing landfill facilities and newer ones. Innovative work at the local
level is progressing quickly and will now accelerate.

Income generated from the current generation of initiatives can be increased from new investment and hence be fully applied as a direct incentive to clean up polluting emissions as a direct cost offset. Indeed, this model is the essence of the entire policy. Its aim is to encourage investment in clean energy, to better manage and minimise emissions, as a real element of our economic system—that is, a self-funding model minimising punitive charges normally levied under the old-style regulatory regimes.

For many this legislation represents a brave new world with many uncertainties for some. However, that will dissipate as knowledge improves. ALGA recently expressed very fulsome support and that is appreciated, but I am sure there is a lot of detail yet to be worked through with local government. I know from my own contact with local government in WA that there is some way to go before all of the detail and the implications are understood. Among those are details of applying for grants, priorities, scale of grants and the processes of applying for investment finance. There are some questions too about the reliability of measurement of emissions—currently being dealt with in detail. There are also new streamlined reporting obligations being developed by COAG. There is interest in the new biodiversity scheme. This scheme is available for carbon farming initiatives on private and local government land to support the protection of biodiverse carbon stores.

I conclude by assuring local governments the government will continue to work with you and to consult with you. We will ensure that your support for this package is maintained and strengthened through your participation.

Senator HUMPHRIES (Australian Capital Territory) (11:26): I rise to contribute to this debate as a person who has had a longstanding commitment to action on climate change; as a person who has always been prepared to accept the science of climate change and the predominant consensus that climate change is real and is affecting the world environment in an adverse way; and as a person who not only has maintained those convictions over a long period but has actually acted upon them. In 1997, as the ACT’s minister for the environment, I was responsible for introducing Australia's first greenhouse gas emissions targets for any jurisdiction—obviously for the ACT. Those targets had the ACT aiming to stabilise its emissions at 1990 levels by about now and reducing its emissions by about 20 per cent on those levels by approximately the end of this decade—targets which incidentally were later dropped by the Stanhope government, but that is another story. So I come to this debate as a person who is serious about climate change and has been prepared to put my actions where my mouth is.

I rise to indicate that I do not support the carbon tax legislation which this government has brought forward. In doing so, I emphasise the non sequitur which many people in this debate have maintained: that, if you do not support this package of bills, this carbon tax which the government promised not to introduce but is now bringing forward for debate and vote, you therefore cannot be serious about climate change. That simply is not true, any more than it is true to say that if you do not support the government's mandatory pre-commitment arrangements for poker machines that you are not serious about reducing harm from poker machines. Or there is the most spectacular lack of logic: if you do not support the government's Malaysian solution, you are not serious about
stopping the boats. All of those things are illogical and irrational and in this debate they have a very severe consequence for the quality of life that the Australian people enjoy.

I do not think that this package of bills is the best way to reduce carbon emissions in Australia and I certainly do not think that, even if it were the best way to reduce emissions, it is a step Australians should take. I want to come to my reason for saying that in a moment. Let us assume that this package of measures does reduce carbon emissions in Australia. I think there are a great many inefficiencies in the way that this package has been developed and framed, but I am prepared to concede that it may actually reduce emissions in this country. Let us put aside in that argument the fact—it is not speculation—that in getting an emissions reduction Australians will have to take a cut in their standard of living. On the government's own figures, some three million households in Australia will be worse off, will have a lower standard of living, because they will be forced to pay higher energy costs and other costs by virtue of this carbon tax.

That shaving of the standard of living of Australians will be particularly severe in my home jurisdiction of the ACT where, on the estimates of the ACT Labor government, some 60 per cent of ACT households will be inadequately compensated for the effects of the carbon tax and 22 per cent of households will have no compensation whatsoever for the effects of the carbon tax. All of those people—the majority of people in the ACT—will have a loss of income and a loss of living standards by virtue of this package.

But let us suppose all of that were somehow to be viewed as a worthwhile way of getting Australia to reduce its emissions. Why would you then say that we should not support this package? The reason is that almost certainly Australia's contribution to reducing emissions by virtue of this package will be cancelled out not once, not twice, but dozens and dozens of times by the growth in emissions of other countries in the world. Australia's efforts through this package will be quite useless in actually reducing the emissions profile of our planet. I say that with no sense of triumphalism or pride. I say as a matter of great sadness that we are unfortunately living in a world where other countries simply are not taking this issue seriously and where the overall picture is one of very serious decline in the level of effort by many nations around the world to do something tangible about this.

Professor Jeff Bennett from the Australian National University's Crawford School of Economics and Government summarised these arguments well in March this year. He said:

The Prime Minister said we've got to do something or else we're going to be left behind—it's important to realise that first of all, very few countries around the world are doing much about this … And secondly, even if everybody did something about, if all nations in the world did what Australia's doing, still the impact on greenhouse gases in the atmosphere would be so small, [it would] not have any real or meaningful impact on the pattern of climate across the planet.

What that means is that the Australian economy is going to have this quite substantial cost imposed on it, with very little to show by way of benefit."

A good, hard, dispassionate view of the evidence demonstrates without any shadow of doubt that that is true. As the Productivity Commission said earlier this year:

... no country currently imposes an economy-wide tax on greenhouse gas emissions or has in place an economy-wide ETS.

Looking at the evidence across the world, it is painfully clear that that is the case. There
is no carbon tax or ETS at work in China, India, the USA or the European Community. If action is not evident in those places, it is very hard to see how the world can meaningfully reduce its emissions. There is zero chance that China or India will adopt any form of serious carbon tax. The United States, Canada, Japan and Korea have all either ditched or indefinitely deferred carbon tax systems.

I want to go through some of the experiences in some of those countries. I make the point here that in the course of this debate many senators such as Senator Wong and Senator Faulkner last night have talked about the initiatives being taken in some other countries. I acknowledge that some countries are doing some quite exciting things in selected areas with respect to emissions. China, for example, is shutting down a number of coal fired power stations. Good on them. But the overall picture in every one of those countries is that these acts of emissions reduction are in enormous contrast to what is going on across the rest of their economies, such as that no country is making a net reduction in emissions now or into the foreseeable future.

Let us talk about Europe. We have been told that Europe has an emissions trading scheme which is something that Australia should emulate in some way and that we should go down this path as well. But let us have a close look at what the Europeans actually do. They do have an emissions trading scheme which raises approximately the equivalent of $500 million a year in Australian money. Let us just think about those figures. Australia's carbon tax is due to raise $9 billion a year when it is fully operational. That is $9 billion compared to the European Union's half a billion dollars. The European Union has 500 million people in it. Its population is 20 to 25 times the size of Australia's. And yet with that huge population it manages to raise just half a billion dollars a year in carbon tax. What kind of impact would that be having on the emissions of Europe? Not very much. The impact on each citizen of the European Union from its emissions trading arrangement is approximately $1 per year. The impact of Australia's carbon tax will be at its outset, when it is lowest in price, $400 per person per year. How much more advantage do companies producing emissions in Europe have over Australian companies when they have such a light tax burden compared to what will happen in Australia?

The picture gets no better wherever else you look. In China we are told that exciting things are happening. China's emissions are projected to increase from 1.4 billion tonnes per annum in 2002 to approximately four billion tonnes in 2015. Chinese emissions are expected to grow—this is the estimate of Professor Warwick McKibbin—by 496 per cent on their 1990 levels by 2020. That increase is so massive that in each year on the march towards 2020 it will cancel out everything that Australia could possibly do to reduce its emissions. If we cancelled every emission from Australia tomorrow the benefit to the world's emissions profile would be cancelled by increases in the Chinese economy alone in the space of less than one year. The United States toyed with the idea of an emissions trading scheme, using a cap and trade system. That was indefinitely deferred, some would say abandoned, some time ago. President Obama has stated openly that electricity prices in America would skyrocket under a cap and trade scheme. A senior Republican member of the Energy Independence and Global Warming Committee of the US House of Representatives said any kind of carbon tax is dead in the US. Of course, he is right.

The picture in other countries is much the same. In India, which contributes 4.8 per
cent of global CO₂ emissions, emissions are increasing at the rate of 8.7 per cent per annum. It went to the Copenhagen conference a couple of years ago promising to reduce the emissions intensity on their GDP by 20 to 25 per cent, but the analysis of that offer is that it would mean an increase in India’s CO₂ emissions by 350 per cent on 1990 levels by 2020. Japan contributes 4.3 per cent of global emissions. It has postponed consideration of the start of an emissions trading scheme until after 2013. Russia contributes 5.5 per cent. Its offer at Copenhagen was, on the face of it, an emissions cut of 15 to 25 per cent, but when you look at the detail you will see that it would increase its emissions by 26 to 43 per cent in the period 2005 to 2020. Other countries are not taking steps to reduce their emissions on a scale that would make anyone believe realistically that Australia’s contribution will make any difference whatsoever.

People can interpret those facts in different ways. Some people have said that Australia needs to be in the vanguard, that it needs to be on the crest of a wave of change and even that it needs to be able to demonstrate leadership. They say we need to do something that will inspire the rest of the world to follow our lead. Arguments like that turn the disciples of science, the adherents of objectivity in this debate, into people who are relying on effusion and emotion to be able to get to the point of reference. They engage in a leap of faith that, by doing this, somehow Australia will generate the change it wants to see happen in the world. It is possible that other countries will say to themselves, ‘Look at plucky little Australia cutting its standard of living in order to show us how it is done, how to reduce our emissions. We feel ashamed of what we’re not doing in the face of what Australia’s doing. We’ll go down that path as well. We’ll start to cut our living standards. We’ll start to put up our energy costs. We’ll start to make our businesses a little bit less competitive by doing what Australia is doing.’ Or those other countries, particularly countries like India and China with fast-growing economies, could say, ‘Well, the countries of the West, countries like Australia, have got to their very high standard of living over several centuries by despoiling their environments, by cutting down their trees, by ruthlessly exploiting their mineral resources and by pumping carbon into the atmosphere. It’s only fair that they should now take a bigger hit than we do when it comes to reducing emissions. We want to reach their standard of living. Let them do the heavy lifting on carbon reduction for a couple of generations, and then we might think about following suit.’ Of course, on the side of that argument is self-interest. Someone once famously said that you should always back self-interest in any debate.

I do not see anywhere the evidence of Australia’s making a difference by reducing its emissions in the way proposed in these carbon tax bills. I think there is a very plausible and very powerful argument that says Australia should go back to the rest of the world and say that we all work together to reduce the scale of this problem, to attack this issue, that we all make sure we are all on the same page and that we all subscribe to some kind of global scheme that will actually reduce the trajectory of emissions, not notionally and not in a token way, and then we force the rest of the world to say, ‘If we do not act together we do not act at all.’ That is a gamble; I acknowledge that. But the fact is that at the present time we are fooling ourselves and deceiving the citizens of our country by suggesting that by passing this package of legislation we are going to make a difference to the warming of the world. Even with, as I have indicated, my strong belief in anthropogenic global warming, I do
not see how unilateral actions by Australia in this way, coming at the cost they do to the standard of living we enjoy, can actually make the difference that needs to be made to address this issue.

There are of course other alternatives. The coalition’s alternative is to invest directly in measures that will effectively go into the marketplace and buy the level of emissions that we want to see happen. I am confident that those measures would produce a reduction in Australia’s greenhouse targets of five per cent on 1990 levels by 2020. I prefer those measures in this debate, because the cost of those measures is not at the cost of Australian’s standard of living in circumstances which do not produce benefits to the world as a whole. Australia should stand ready to take action to be part of a global movement to take action that will make a difference, but it is quite pointless, in fact it is counterproductive, for Australia to pretend to be acting on this when, in fact, it is not. A carbon tax, in the absence of comparable action elsewhere in the world, provides an incentive for jobs to go offshore, for us to lose the benefits of a competitive marketplace and for us to be left behind. I am all in favour of symbolism when appropriate, but not on such a stupid scale.

I think it is important for the government to be able to explain on a more mundane and domestic level how it is proceeding with such a major reform to the Australian economy when it does not produce benefits to the Australian people for that change. The point has been made in this debate already that the government introduced this tax after it expressly said before the last election that there would be no carbon tax under this government. The Prime Minister went on to say after that that she would act to move forward on this issue when she had built ‘a deep and abiding consensus’ on the need for this kind of action. It is evident from the most recent opinion polls and from the talk on the streets of Australia in which all of us, I am sure, have been engaged that there is no deep and abiding consensus. In fact, if there is a deep and abiding consensus, it is in favour of not going down this path at this point in time.

So on all those counts—on the count of its being ineffective, being a breach of trust with the Australian people and not being thought through—this carbon tax package is wrong. The coalition has indicated—with perfect justification, I think—that, if it goes to the next election promising the Australian people that it will repeal this tax and it wins the election, it has a mandate to remove that tax. I hope that those opposite, in the hubris which goes with having done deals to impose this tax on the Australian people, would at least acknowledge that the honourable thing for them to do would be to support such a repeal if it transpires that that is the result of the next election. (Time expired)

Senator LUDLAM (Western Australia) (11:46): This is the third time in as many years that we have been called up to speak on a package of carbon price bills in this chamber. Unlike on the first two opportunities, I am delighted to rise to speak on this occasion.

What a difference an election makes. This package, the Clean Energy Bill 2011 and related bills, is a credit to Senator Christine Milne, who brought great appreciation of the policy imperatives and seized a moment of opportunity last August for Australia to change course. The package is also, of course, a credit to the leadership of Senator Bob Brown and a credit to our member for Melbourne, Adam Bandt, his team and all of the people who fired up around the country last year to deliver a historic win and a very finely balanced parliament. So I take this

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opportunity to thank everybody who pitched in last year, because this is your win.

To the extent that the *Hansard* record survives the shocks to come over the next few decades, I hope the future has a sense of humour. The contributions from opposition MPs in this debate have ranged from carefully measured but ultimately pointless, as Senator Humphries’s contribution just was, through carefully cultivated scientific illiteracy to the purely infantile. In particular, I reject some of the more embarrassing contributions of my Western Australian Liberal colleagues that I, as a Western Australian MP, think paint us in an extremely negative and regressive light.

Western Australia is not just a quarry, an expanding hole in the ground out of which the surplus can be magically restored. We are also the state that elected the nation’s first Greens MP, the state in which Greens state MPs held the balance of power for a decade and a place where community activism has rescued old-growth forests, waged a successful 30-year campaign against uranium mining, saved the Ningaloo Reef from unrestrained development and is in the process of taking the Kimberley coast back from the gas industry. When we set our minds to it, Western Australians know how to get things done. That is what makes me all the more ashamed of some of the contributions by my Western Australian opposition colleagues.

Just to pause for a moment on the politics of these bills as we in this chamber stand poised to pass this historic package of legislation, the government have taken on the carbon mafia and they are being punished for it. But I say to government MPs: this too shall pass. There is real political courage here, and I acknowledge it. The carbon price, as Senator Humphries reminded us, is unpopular. Why would that be? It is because Tony Abbott, Senator Barnaby Joyce and their colleagues have been criss-crossing the country telling people that the carbon price is going to give them leprosy. Of course it is unpopular. The campaign that they have run is essentially a thin facade of mad, self-interested hysteria stretched altogether too tightly over a framework of complete fiction. It is in the process of being demolished by reality. The three-word arguments that you have been running work beautifully on bumper stickers, but they bear no relationship to the structure of the package, and that is where you are going to come undone.

Senator Humphries gave us a sketch of their laughable direct action policy that even they cannot find a single credible economist to support. My question to coalition MPs, particularly the just under 50 per cent of you who voted for Malcolm Turnbull last year and who do have a clue about the genuine public policy issue of climate change, is: if this delusional so-called direct action policy delivers a five per cent emissions reduction target, as you insist, what are you going to do about the other 95 per cent? Or are you really that far in denial?

The challenges in front of us are severe. In Western Australia, our electricity grid is sparse and is premised on depleting vulnerable point source coal and gas supplies. Regional communities and industries are heavily exposed to rising gas and distillate prices, and the Varanus Island gas plant explosion vividly demonstrated to us the risks of highly centralised fossil fuel infrastructure. Premier Colin Barnett has been doing his bit to put our natural resources in hock to a regime playing a much longer game than us, in his great tour of China. So now Western Australia’s coal resources and much of our gas resources are in the hands of an Indian industrial conglomerate and soon perhaps a Chinese sovereign energy company. Well played, sir! Towns like Collie and Karratha in WA have
a perilously narrow economic base. They will need genuine transition planning within the present generation, as the iron laws of resource depletion and the far more serious imperatives of climate change take hold.

The greatest liability that we have, particularly in this building, is the institutional mindset that holds that the present state of exponentially-increasing resource extraction and the consequent political paralysis that comes with it must remain the case forever. Snap out of it. The challenge before us is this: to turn Western Australia's sundrenched hinterland into a national resource—to turn our windswept coast and farms into generators and our unmatched wave resource into an energy asset. We have long had the desire to do it. The passage of these bills gives us the tools. I tip my hat to Professor Ray Wills of the Sustainable Energy Association, Australia's largest and most diverse sustainable energy business chamber. Professor Wills's relentless advocacy on behalf of green energy entrepreneurs and some pretty big energy incumbents over many years has laid the foundation for the period of unprecedented innovation and investment that must now follow. This is because, for the first time, this package of bills gives industry the tools to start that job in a serious and systematic way.

Consider the Western Australian goldfields, a hub of engineering and fabrication skills drenched in one of the best solar resources on the planet, day in, day out, with a high capacity transmission line running back towards the Perth metropolitan area. Goldfielders know a few things about success in the face of unlikely odds and ambitious infrastructure projects. So let us set a date for the commissioning of the CY O'Connor solar thermal power station and bring utility-scale baseload solar power to Western Australia. The design will be based on plants already up and running in California and Spain, but the fabrication and the maintenance must all be local.

The start-up of one, single, large power station of this kind will do more than anything else to blow away the tired myth that this cannot be done, and the fossil industry knows that when the baseload myth disintegrates in the face of an actual commissioned plant in Australia, their arguments will not really have a great deal left. We can finally cut our ties with an economy based on digging up and burning stuff. Concentrating solar thermal plants in the goldfields of the mid-west and the Murchison Gascoyne are the baseload platform on which a whole range of variable renewable energy technologies can at last take their place.

I could not miss the opportunity to remind the Senate of the work of Carnegie Corporation in my home town of Fremantle, who are rapidly moving to commercialise their brilliant wave energy system that promises to produce electricity or fresh desalinated water around the clock—free from the ocean. Fremantle is also making great progress towards its own wind energy generator to power Fremantle Harbour, demonstrating that not all the jobs and investment will be in regional areas. But, of course, we know that most of them will.

In particular, I point out another project that has been stalled and is starving for funds until this package is able to pass this parliament. It is the Narrogin bioenergy endeavour, which has been under study in the wheat belt for many years now and has just lacked that final kick to get it over the line. It is my firm hope that this package will give that project and many others the funds and the institutional support that they need to get up and running. This package obviously will not get us to 100 per cent renewable energy status, but it will start us along the
way. That is the important thing, and it is the key difference between this package and the friendless CPRS that this parliament rejected twice.

We know that climate change, if it is not addressed, will have grievous impacts on Western Australia. Many have spoken, justifiably, about the Great Barrier Reef. I speak up now for its Western Australia equivalent, the Ningaloo Reef on the northwest coast, which rivals the GBR in beauty and biodiversity. It also supports a multimillion-dollar tourism industry. It is under threat from warming and acidifying oceans. If current trends in the climate continue, the south-west of Western Australia will potentially experience 80 per cent more drought months by 2070, and that will wipe out one of the world’s most biodiverse botanic regions, at enormous cost to us all. In Western Australia up to $30 billion in assets—that is, more than 20,000 residences, 2,000 commercial buildings and 9,000 kilometres of roads—are at risk from sea-level rise. Along the west coast and southern coast, the sea level is actually rising faster than most of the world average or the average around Australian coasts.

We do not believe that this package or that Australia acting unilaterally will fix all of these things. This goes to the more ignorant comments from some of the coalition participants in this debate about what will happen if we pass this package. For example, there was Senator Joyce asking by how many decimal places this package will reduce the temperature of the world. That completely misreads what is going on here. The whole planet needs to join this effort, and I certainly would not want to be stuck in a lifeboat with a hole in it with coalition MPs, who would be sitting up the back with their arms folded, demanding that they would not be bailing until everybody else was.

We know that the package is not perfect. As Senator Milne acknowledged, the transport aspects of this package are a real missed opportunity. There are perverse incentives and there are things in it that will be need to be fixed. I think it is extremely unfortunate that the government has not listened to groups like the Australasian Railway Association, the Bus Industry Confederation and other transport advocates who have analysed these flaws and proposed sensible solutions that in no way undo the basic architecture of the package.

We know, however, that other things will be needed. There are some promising signs, for example, in the National Urban Policy. This shows the way, I think. We have the beginnings of major institutional reform outside the price instrument so beloved of economists, but we will not know if these things are worth anything until we see substantial resources shifted into public transport, cycling and urban consolidation and renewal—not little $20 million pilot projects but large-scale, sustained investment.

The freight task is still planned, as far as I can tell, essentially in a fossil vacuum. There is very little institutional appreciation of the importance of rail in tackling a much larger fraction of our freight task, and, if the government does not see fit to fund the infrastructure by, as they have done, excluding petrol from this package, then funding will need to come from consolidated revenue instead of vastly expensive and obsolete urban freeway infrastructure.

Many, many people have contributed to this win. I have already mentioned Professor Wills at the Sustainable Energy Association, but I want to pay particular tribute, as Senator Hanson-Young did, to young Australians who have absolutely stepped up into something of a campaign vacuum and
really taken this campaign forward. I am speaking in particular of the Australian Youth Climate Coalition, the people who have been storming this building and visiting electorate offices around the country. In my home state, Ellen Sandell, Jane Stab and Nick Taylor from the AYCC are just doing the work. It is not all particularly glamorous but they are getting out there, banging on doors and making sure that the voices of the people who will actually be bearing the brunt of the policy decisions we make in the here and now are heard in this building and in electorate offices everywhere in the country.

I also mention groups like Micah Challenge, who have taken the very important step of recognising the importance of climate in abolishing global property, groups like Oxfam, who have also taken the lead, and, of course, the Australian Conservation Foundation and climate action groups all around the country who have played such an important part of bringing this campaign forward. I pay particular tribute to Matthew Wright and the team from Beyond Zero Emissions for showing us that it can be done. Maybe the model for a 100 per cent renewable Australia will not be precisely as they have proposed, but they have taken the bold step of just doing the engineering work that should really have been done by state and federal governments and of putting a serious challenge on the table in front of policy makers to say: ‘The engineers and the technologists say this can be done. Over to you, policy makers—make it happen.’ In WA the folks at Sustainable Energy Now, a wonderful group of engineers and energy advocates, have simply done what Western Australian energy authorities should have done a long time ago: come up with a model for how to get to 100 per cent in Western Australia on the south-west integrated system. It is a superb piece of work and it deserves to be resourced.

Other groups such as Doctors for the Environment—and, in particular, I single out Dr George Crisp in Western Australia—are reminding us of the consequences of getting this wrong. And there are people like Kamala and Alex, from Safe Climate Perth, who are doing the grassroots work. They are really quite tireless in linking these issues to larger issues of global poverty and global inequality.

The Greens know that this package is only the first step but that this is the real thing. It is the first turning of the ship away from a fossil dependent economy towards a society whose prosperity is founded on the gigantic and essentially infinite flows of renewable energy. That tortured, groaning and shrieking sound coming from below decks is Mitch Hooke and the Australian Coal Association recognising that this really is the first turning of the ship—that the world has changed and that it will not be changing back.

Senator SINGH (Tasmania) (12:01): It is an honour to have the opportunity to speak to the Clean Energy Future package in this chamber after so much debate on the pressing issue of climate change in Australia not just over the life of this government but for more than two decades now. We need only look at how long ago it was that state and federal governments created climate change departments and ministries—a portfolio I once proudly held in my time as part of the Tasmanian state government.

The recent debate on this issue has been especially fierce, and I acknowledge at the outset the contribution of organisations which have continued to advocate for action on climate change such as the Australian Conservation Foundation, Climate Action Network Australia, the Climate Institute, the Say Yes campaign, Micah Challenge, Al Gore's Australian Climate Change Ambassadors, Oxfam, the Australian Youth Climate
Coalition and, of course, the ACTU. This package is testament to their community action, and it is an honour indeed to be part of a parliament which, because of the leadership of the Prime Minister, will be responsible for beginning the essential and urgent process of bringing on the next great stage of Australia's economic development.

There is no doubt in my mind that both the current and the emerging challenges of energy generation represent among the most substantial considerations for businesses and communities all around Australia. Since the Industrial Revolution our economy has shifted to being energy intensive. For too long, however, it has not adequately taken into account the effects of industrial activity on the environment. Industry has emitted greenhouse gases, those carbon dioxide and equivalent emissions, at a rate far beyond that which our planet would naturally release and far beyond what it can cope with without something having to give. The kinds of climate change we are experiencing and which the best science tells us we are going to experience—the transformation of local climates and extreme weather events—is something that we, across the world, have caused in significant part. It puts at risks agricultural production, coastal properties and iconic parts of our natural environment such as the Great Barrier Reef. It threatens small islands around the world such as Kiribati and Tuvalu and therefore is likely to mean new waves of people seeking the sanctuary of dry lands as their homes are swamped by rising sea levels and, in the process, their cultures and histories lost. It changes the habitats of our native creatures and threatens biodiversity.

But human economic and social development is a story of monumental achievement. While we have risked, we overwhelmingly have gained—in improved living standards, in greater connectivity between cultures and community and in our scientific and technological mastery of our surrounds. We have created this problem, there is no doubt; but we have also created the means and measures by which to respond to it if only we are willing and have sufficient drive to apply the spirit of human creativity to the challenge of climate change.

This package is about translating that motivation we have in science into a motivation in economics. This package puts a price on carbon pollution and creates an incentive for all businesses to cut their pollution by investing in clean technology or finding more efficient ways of operating and thereby cutting costs. It provides an opportunity for clean producers of energy and goods—those who have taken into account their impact on their environment—to have a competitive advantage commensurate with their social contribution to the effort to reduce the world's carbon emissions. It encourages businesses across all industries to find the cheapest and most effective way of reducing carbon pollution rather than relying on more costly approaches such as government regulation and direct action. It is a package that provides the spark for Australian ingenuity in responding to climate change.

The scientific evidence of climate change and the case for action to both mitigate anthropogenic climate change and adapt to its effects have been mounting for decades, and for some time now the need for action on climate change has been beyond reasonable doubt. This is attested to by the Intergovernmental Panel on Climate Change, the CSIRO, the Bureau of Meteorology and the Australian Academy of Science. I want to explore briefly some of the ideas about the intersection between science and public policy by reflecting on approaches taken by international organisations of which Australia is a member, including the
Convention on the Conservation of Antarctic Marine Living Resources, whose secretariat is based only a stone's throw from my office in Hobart. This organisation, which is charged with managing environmental resources, is based on the precautionary principle. This principle holds that:
Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty shall not be used as a reason for postponing ... measures to prevent environmental degradation.
What this means is that measures which would mitigate threats of irreversible environmental damage cannot be put off by a minority view, nor by the idea that a measure of change might be inconvenient. What it means is that we have to take threats of severe environmental degradation seriously and that we have to be mindful of the effect that we are having and the effect that we are able to have in redressing environmental damage. It says that we should use the tools we have at our disposal before it is too late.

There is another important component when we are talking about science and public policy, and that is the ecosystem approach. I think it is worth mentioning a few words from the Food and Agriculture Organisation's definition with regard to fisheries:
The ecosystem approach ... strives to balance diverse societal objectives, by taking into account the knowledge and uncertainties about biotic, abiotic and human components of ecosystems ...
The ecosystem approach means a number of things. It means that we need to take into account the full effects of our actions on the environment. It acknowledges that humans unquestionably have an impact on the world around them, often in unpredictable or unanticipated ways. It explains that an ecosystem is an interdependent thing and that human communities are firmly part of it.
But it also recognises the significance of serious environmental degradation, now and into the future, and the effects that recklessness towards our environment have on human prosperity. It says that, when we risk our environment, we risk our own prosperity.

I mention this because it is essential that the decisions which a good government takes be based on an understanding of the way that science and public policy responsibly interact. The bar for preventative measures should be set at that level of precaution. For the longest time, when it came to climate change, the wilful ignorance and scepticism that continues to typify the coalition meant that these principles were ignored. Humans are divorced from the world around them, they argued, and nothing in our actions constitutes responsibility for the environment. The coalition would rather mischaracterise not just the Australian and global scientific community but also the very properties of elements such as carbon itself. They would rather play disingenuous semantic games with words like 'pollution' and 'natural' than face up to the issues that a responsible public policymaker would take account of.

The fact is that climate change is threatening enough to require serious reform to the way we all think about the effect our activity has on the environment. But the changes which will come from the transition of Australia's economy into an economy which puts a price on pollution also have the potential to unleash amazing economic opportunities. In the early twentieth century, in 1914, the Tasmanian government set up the Hydro-Electric Department, later the Hydro-Electric Commission, to create the first state-owned hydroelectricity generator in Tasmania. Renewable energy has a long and proud history in Tasmania, though it is not without controversy and not without its caveats. But this history has at its heart a
recognition of forward-thinking investment in the infrastructure of the future and what that can create: the opportunities of sustainable development. In Tasmania, the early adoption of hydroelectricity paved the way for industry to come to the state and access our cheap energy. In these days of the national energy market, hydroelectricity continues to provide Tasmania with the opportunity to sell premium clean energy and gives further credence to our reputation as a state of pristine beauty.

Of course, Tasmania was one of the first. Now these adopters, which represent a diverse range of political persuasions across the globe—a huge body of global wealth and capital—continue in that vein through an understanding of the challenges of climate change. New Zealand, the European Union and California have all adopted an emissions trading scheme. Other states, such as Japan and China, are planning either provincial or national trading schemes. China commenced its scheme in some of the most populous cities in the world, such as Beijing and Shanghai and those in Guangdong. We know other states and nations are taking other measures, whether it is the Indian coal tax or energy efficiency obligations across Brazil. All of these nations realise that a new wave of economic development is coming and that they need to be a part of these opportunities.

The kinds of jobs that we will create from this, of course, are many and varied. They are new jobs that look and feel like the kind which we have been familiar with for a long time. The difference with the clean energy jobs of the future is that they do not have a use-by date—they will not be rendered obsolete when commercial, environmental and technological pressures mean that only the innovative will be able to survive. What I want to say is that only Labor has ever had the courage to introduce the kinds of broad economic reforms that are necessary to ensure that jobs in Australia stay competitive, that conditions stay decent and that the opportunity to find and keep work remains open to this generation of workers, their children and their children's children.

Putting a price on pollution is about sustainability. It is about rewarding forward-focused businesses and giving traditional industry an incentive to think ahead. It is about making sure that Australia is prepared for the new types of industries and jobs which will allow us to maintain our economic prosperity. But most importantly it is about a sustainable environment: making sure we pass on a world with clean air and clean water where future generations can breathe, grow and live, where the quality of our surroundings contributes positively to a quality of life and where, in generations from now, our descendants might still take in the sublime majesty of our natural world.

Senator COLBECK (Tasmania) (12:13): It is a pleasure to rise to make my contribution to the debate on this package of bills, but the first thing that I would like to mention and reinforce is that we all know that this whole package of legislation is built on a huge political lie. That political lie is owned by every single member of the Labor Party, and that lie is, 'There will be no carbon tax under the government I lead.' Senator Singh, who has just preceded me, would be one of the key beneficiaries of that lie, having been narrowly elected at No. 3 on the Tasmanian Senate ticket on the basis of it.

Senator Bushby: She wouldn't have been there otherwise.

Senator COLBECK: You are right: she very well may not have been there otherwise. So Mr Sidebottom, Mr Lyons, Mr Adams and Ms Collins—all the House of Representatives members in Tasmania—own that lie just as much as Prime Minister Julie Gillard owns the lie, 'There will be no carbon
tax under the government I lead.' Senators Sherry, Urquhart, Polley, Bilyk, Carol Brown and, of course, Senator Singh, who has just left the chamber, all own that lie just as much as the Prime Minister does.

That is one of the reasons that the Australian community is so angry with this government. They were misled by the Prime Minister before the election not once but twice: six days out and then again the day before, when the attraction of votes in a very close election was so crucial that the Prime Minister was prepared to come out and say, 'There will be no carbon tax under the government I lead.' We know there is some question as to whether she is actually leading the government—there is a strong perception amongst a lot of people that the Greens are really leading the government—but the Prime Minister wears the mantle. Every single member of the Labor Party and all of those Tasmanians I have mentioned are equally culpable. They all own the lie just as much as Julia Gillard does. There were plenty of signs and photographs of Julia Gillard at polling booths around Tasmanian during the election campaign. In fact, in some cases there were more photographs of Julia Gillard at polling booths than there were of the local members who were seeking election. So there is no question that they were using the image of Julia Gillard and her promise that there would be no carbon tax under a government she led as part of their election campaign last year.

I want to talk more broadly about the general investment message for this country that this package of legislation sends out. The government members all talk about certainty, but one thing that is quite clear is that, in the way this government has been managing its efforts over the last three or four years, they have generated something that I have not heard in the lexicon of Australian comment for a long time, and that is 'sovereign risk'. With their mining tax and their carbon tax there is such uncertainty about their financial management of the economy, the pink batts scheme, the school halls debacle. All of those things are combining to generate a real perception around Australia that it is a sovereign risk for investment. It was interesting to talk recently to a northern European company that was looking to invest in Australia. When they were told that we were opposing the carbon tax and would repeal it, it gave them much more confidence about the sensibility of what might be occurring in this country as far as policy was concerned. They, despite all the words that we have heard from other senators in this place—particularly those on the other side of the chamber—about what is happening in Europe, are not happy about additional cost and were much comforted by the fact that we might be considering repealing the tax, as Tony Abbott has quite properly promised to do.

When you look at the actual impact of the European scheme on their economy compared to the impact of the scheme that is being proposed by the government here in Australia, you get a strong understanding of why that company was comforted. The European scheme has a very minor effect on their emissions-intensive, trade-exposed industries. Their export industries are very minimally impacted. In fact, their scheme, as Senator Humphries said earlier, raises about half a billion dollars per annum. Our scheme will raise $9 billion per annum. Over the first 6½ years of the European scheme it raised $4.9 billion. Over the same period, Australia's will raise $72 billion. You talk about the impact on the economy and why countries are concerned about investing in Australia. You are having this huge hit placed on the economy that is not being imposed on other countries around the world. We heard the Canadians only last weekend.
saying that they are not going anywhere near this.

But we know—because the Productivity Commission report says so—that we are about the middle of the pack at this stage. The government tries to give the impression, and the Greens certainly do too, that we are not doing anything. We know that we are already playing our part. The Productivity Commission report says that we are about the middle of the pack as far as our efforts in reducing carbon emissions are concerned. Then, when you bring it down to the price per taxpayer, the EU figure is $1.53, the US figure is about $6.50 and in Australia it is $391 per taxpayer per year. That is an extraordinary impost on the Australian economy at the taxpayer level. Even the raw numbers—half a billion dollars per year through the European scheme and $9 billion for the proposed Australian scheme—really say enough.

The previous speaker, Senator Singh, spoke of Tasmania and its hydroelectric scheme. What she neglected to say was that the Tasmanian government no longer buys any of its energy from the hydroelectric scheme; it buys all its energy from a Queensland-based power company on the national grid because it is cheaper to do so. That is fine. But when you sit down to talk to that company and talk about the potential cost impacts of this scheme in that contested market where companies are buying larger chunks of power, often raw, and are therefore paying a lower unit price for the energy—somewhere around 9c to 11c per unit—the 2.5 base-price increase for energy that is going to come on across the country is a much larger percentage increase to your energy costs. You are talking a 25 per cent to 30 per cent increase in your costs. These are the sorts of energy increases the Tasmanian government is about to suffer because of this legislation, which their federal counterparts are about to support and put through. We all know the perilous budget condition that is occurring in Tasmania at the moment, so you wonder where the cuts are going to have to come from to compensate for this. We have just seen $100 million carved out of the health sector in Tasmania, with elective surgery lists cut in half and all of the concern about that running through the Tasmanian economy, but what about the additional cost that this is going to impose on the Tasmanian government because of the way that they are purchasing their energy at the moment?

Look at the general figures, where the government says that there will be a 10 per cent increase in the cost of power for general consumers. That is about right, looking at the numbers. The 2½ cents represents about 10 per cent of the 25.132 cents per unit that Aurora Energy advertises on its website today as the cost of general power to the home consumer in Tasmania. I can see that that 10 per cent is the general number which is going to impact the local consumer. What about the larger power users who buy their power through the contested market? They buy it raw. The percentage increase to a lot of them is going to be much, much bigger. A Queensland energy company told me that they have about 250 customers in Tasmania who they sell energy to. They are all going to be subject to a much higher energy price increase, and there is no compensation for them. So these medium sized businesses are going to pay a much higher energy increase. I have done a little bit of work this morning on a couple of them. One of them has an energy bill of about $1 million. At 10 per cent that is a $100,000 increase in their energy bill for nothing. There is no compensation or assistance for that business. They are a vegetable processor—part of the growing fresh vegetable processing sector in Tasmania—and they are starting to employ quite a few people. If it is 25 per cent, their
bill goes up $250,000 because they are in that contested market. Another one, which is also in the contested market, has a power bill of $600,000 a year. At 10 per cent it is $60,000 and at 20 plus per cent it is over $120,000. There is no compensation for these businesses.

Another example is the large business Simplot, which is a major buyer of vegetables for processing in Australia and is based on the north-west coast of Tasmania. They are about to spend $17 million on a cogeneration plant to convert from coal. Based on a promise from both the government and the opposition at the last election, they are getting $3 million to assist them with that cogeneration plant. But, even after they have spent $17 million to convert their energy type, they still face an extra $1 million a year in energy costs after this piece of legislation is passed. They will spend $17 million but they will still have an additional $1 million energy bill based on this legislation.

Then, of course, we go back to the dairy and the farming sector generally. There are farmers in some of the irrigated dairy businesses who have power bills of $200,000. They will be adding another $20,000, $30,000 or $40,000 a year onto their energy bills. Of course we also know, because the modelling tells us so, that they are going to take a hit back from the processing sector. Dried milk powder is about 30 per cent energy. It is very energy intensive to manufacture dried milk powder and 30 per cent of its cost is energy. The modelling tells us that, on average, there will be about $10,000 per dairy farmer in costs back to the farmer from the processing sector—so they take a double whammy.

The government said that they put in the Carbon Farming Initiative to provide assistance to the rural sector, but the regulation and the design of that package is so bad that there is very, very little assistance to the rural sector. In fact, the National Farmers Federation said that you cannot even put in a windbreak under the Carbon Farming Initiative. That is one way you could actually sequester carbon—by planting trees in windbreaks on farms—yet, because it is 'common practice', you cannot undertake that under the government's Carbon Farming Initiative. So, despite what they say about their intentions, the practical application of this legislation is not going to do what the government claims.

Then we come to the forestry sector, which is the one sector in our whole economy that can play an important role in sequestering carbon. The blind prejudice against forestry that exists, particularly among the Greens, cuts out opportunities for this sector to provide positive prospects. Biomass, for example, can create energy at the rate of only four per cent of the emissions of coal. You could generate an extra 3,000 gigawatt hours of energy in this country today using biomass without touching another twig; without harvesting another tree. But, because of the blind prejudice of the Greens, this has been struck out of this package of legislation. It is just absurd. The government say they want to reduce our carbon intensity. Here is an opportunity to do that. Biomass is recognised as a renewable energy.

The WWF and the European Biomass Association have a target for all OECD countries of 15 per cent of their entire energy being produced from biomass. So the WWF is on board with Europe. European countries will have 15 per cent of their energy coming from biomass. The last time I looked we fitted into that OECD category, yet here we are completely ruling it out. The lifecycle figures show that biomass produces energy at four per cent of the emissions of coal. The government's decision is absolutely absurd.
and is based on the blind and ridiculous prejudice of the Greens. So I go back to the comment that I made earlier about who is actually leading the ship at this point in time.

In regard to the impact of this legislation on regional Australia, the government's broad modelling says that the impact on the economy will be less than one per cent. When I recently spoke with some constituents on King Island, where the Prime Minister visited on her way to a conference in Hobart recently, they did not believe the impact on their economy would be less than one per cent. They know that their energy prices are going to go up, and they already have higher energy costs than anyone else. They know that everything that comes on and off the island has to be shipped or flown in. If you talk to a small airline that operates into King Island, Flinders Island or any of these remote communities, that 10 per cent increase in the cost of aviation fuel represents 30 per cent of their overhead costs. So there is going to be a much more significant impact in these remote and regional areas, yet the Prime Minister expects these communities to believe that the impact on their community is going to be greater and they are not happy about it.

Recent polling released in Tasmania shows that only 17 per cent of Tasmanians support the carbon tax; 51 per cent do not support it. The government cannot even get the support of half of Tasmania for the carbon tax and that is because there is one thing Tasmanians remember—they remember the lie. They remember that Mr Sid Sidebottom, Mr Geoff Lyons, Mr Dick Adams and Ms Julie Collins all went to that last election behind a Prime Minister who said, not once but twice—six days before and then the day before:

There will be no carbon tax under the government I lead.

They said, along with Senators Sherry, Urquhart, Polley, Bilyk, Carol Brown and—one of the key beneficiaries—Senator Singh, that there would be no carbon tax under a government led by Prime Minister Julia Gillard. They are all just as culpable. They all own that promise just as much as the Prime Minister does.

When you go around and talk to small businesses about the impact of the tax on their operations, they all know that the promise they were made at the last election was that there would be no carbon tax. Even when I was talking to a small rhubarb processor and grower in the north-east of Tasmania, it was clear that they knew, along with everyone else, that as their business grows so too will the cost of energy and inputs to their business—because of the carbon tax. All of these elements I have been talking about are only for the first year. We know that this cost will go up each and every year, because the government tells us that the carbon tax is going to be indexed. They all come back to the promise. They all remember the lie: ‘There will be no carbon tax under the government I lead.’ That is
what the Prime Minister said to the nation six days before the election and she repeated it the day before what turned out to be a very tight election. Mr Sidebottom, Mr Lyons, Mr Adams and Ms Collins all own that promise. All are equally culpable, as are Senators Sherry, Urquhart, Polley, Bilyk, Carol Brown and Lisa Singh. They all know that they went to the last election promising that there would be no carbon tax. (Time expired)

**Senator MADIGAN (Victoria) (12:33):** I am not here to talk about the science of man-made global warming or to announce support for the so-called consensus which is supposed to exist for this destructive tax. Over my lifetime, I have heard numerous references to changes in climate that have caused floods, fires, droughts, cyclones, heavy frosts, hailstorms and whatever. We all know that these things have occurred, but they have also occurred throughout history. We only have to read Dorothea Mackellar and it is there—art reflects life. Some years ago we were told that we were going to be entering a new ice age. Now what we are experiencing is referred to as global warming or, for the non-committed, climate change.

When I speak to people—working people, people in the suburbs or people in small country towns—they are terrified. There are some, I will admit, who are quite accepting of what is being put to the people. But I also speak to a lot of people who are not and those people are predominantly what I would call rusted on ALP voters.

Whether it is the carbon tax or direct action, both put an impost on the Australian people—the average person, working people, family people. The effect on business has been covered in the House within an inch of its life, but I do not hear much spoken about the effects on families and on elderly people. The people this tax is going to affect are pensioners—the people who cannot afford to pay their power bills, who cannot afford to heat or cool their homes. It will affect the people who are already struggling to pay their mortgages as things currently stand, who have to travel from the western suburbs of Melbourne to the far side of Melbourne and who cannot get a train at the right time of the day to commute to work. Most Australians would agree that we have to be smarter; that we have to be more innovative and find smarter ways to do things. Most businesses in this country and most people do look for ways to consume less and save a bob, because the less you consume the less it costs you.

Many years ago, the DLP was the first party to introduce a conservation policy into the Australian parliament. It was based on good stewardship of our natural resources. That policy involved practical solutions that did not impose a guilt or punishment tax that this carbon tax policy is based around. Since I first arrived here in the Senate in July, numerous lobby groups have come to my office to discuss a number of issues, but the one that I remember most is a group of five young girls who came into my office distraught at what was going to happen to the planet and they thought that, somehow or other, it was their fault. I assured them that the sun was going to come up tomorrow—and it did. I said that if they wanted to talk about practical things that we can do to help the environment I was all for it, but I was not there to attribute blame. The only way good policy will be implemented in this country is to take all Australians with it by winning their hearts and minds with facts and the truth. I believe this carbon tax in its present form will have untold repercussions for this country for decades to come. The people of this country deserve more than the poor standard of debate and schoolyard name calling we have seen over the past few months.
There is no doubt that had the ALP been able to form a majority government this bill would not be before the Senate this week in its current form. Make no mistake about it, this is a Greens inspired bill and ALP voters all over this country know it. If this bill passes, every ALP senator will have shown that staying in power is their number one principle and any other principles they may hold come a poor second as does their responsibility as elected representatives of the people. In his 'light on the hill' speech 62 years ago Ben Chifley warned about making someone Prime Minister or Premier at any cost. And, ultimately, the cost with this legislation as it stands will be to the people.

As I have said already, I will not speak on the science; it is dealt with elsewhere. I also do not intend to speak to the government on it. We have had visits over time about this issue. Lord Monckton was mentioned yesterday in debate. He visited my home town of Ballarat. We live in a free country where we believe we value and cherish free speech. But when Lord Monckton's visit was announced in Ballarat, people contacted St Patrick's College, the venue where his talk was to be held, to try to buy out the booking. People advised the college that it was not the best thing to do.

No matter whether or not I agree with somebody, I believe that everybody has a right to free speech. I encourage people to have their say, whether I agree with them or not. But, apparently, some people are not entitled to have their say. I have spoken to scientists in academia who have told me that unless they go with a preconceived outcome that suits an agenda they will not get funding. Their academic career is, let us say, held back. I believe we need good, open and honest debate. We need to win the hearts and the minds of people and present to them the truth.

I hear about the green jobs that are going to be created. I do not doubt that there will be some jobs, but will those green jobs equal the jobs that are lost? I see industries that have developed intellectual property and are at the cutting edge in green jobs. These are Australian companies but they do not seem able to get a fair cut of the cake. There seems to be a disposal towards some foreign owned companies, but not towards Australian companies.

People in the Tasmanian timber industry tell me that the majority of the timber areas are locked up or will be locked up. In Australia—and I have friends at home who are sawmillers—they believe in selective felling, not clear felling. But they no longer operate their sawmills. The people who worked in those sawmills are now told to learn how to become a bouncer. Well, there are only so many nightclub and pub jobs. To ask a man who has worked in the timber industry for 40 years to become a bouncer is not realistic. There is terrible clear felling of timber in some Asian countries, such as in our not-so-far-away neighbours Indonesia and New Guinea. A lot of the outdoor furniture we see in Bunnings is made from this timber. We can control and encourage selective felling on our shores, but we cannot do so in Asia. Yet we are happy to buy furniture from places where they denude the earth.

It is not enough for Labor to don the colours and wear the tie and then desert the principles of the labour movement. What is being considered here before us today cannot be justified by any of the principles held by former Labor governments. I do not believe Chifley or Curtin would have considered this legislation in its current form. I find it hard to believe that even Hawke and Keating would have allowed their policy to be determined by a non-Labor party. I know some of you may think that I delve too much
into history, but those who forget the past are doomed to repeat it. Sixty-two years ago, Chifley gave us his prediction and here we stand today and it is coming to pass. The lessons of the split and the destructive forces that caused the split have not been heeded. The names may change, the costumes may change but human nature does not change.

We must look to the past to guide us in the present and into the future. It does not give me any joy at all to see the great ALP being reduced to a hollow shell of its former self. I believe this alliance is not one that many of them may have wanted and it possibly galls them that the present bills before this parliament have been forced upon them as a bargaining chip to keep them in power. In the early 1980s, Bob Hawke introduced the asset test on pensioners. It took considerable time to prepare, but when it was prepared he got an enormous backlash. I did not think I would ever say this, but all credit to Bob Hawke because he took it back to the drawing board after hearing the people's concerns.

Last week, I visited the Latrobe Valley—Moe, Morwell and Traralgon. People attended that meeting whose families were former nemeses of the DLP, but they came to listen, to talk and to express their concerns. People in the Latrobe Valley in the power industry took an enormous hit with the Kennett government's privatisation of the former State Electricity Commission—an organisation, I might add, that had a forward plan. They delivered economically, they delivered socially and they delivered environmentally. We are often told about dirty Hazelwood—yes, it does emit pollution, we all know that—but if we had the SEC, it would not be there today. The foundations exist in the Latrobe Valley adjacent to Loy Yang for the building of a new power station that has never been acted upon since that privatisation.

From speaking to people in the Latrobe Valley, the greatest industry in the Latrobe Valley now seems to be welfare. The St Vincent de Paul branch in Moe in the past three months distributed some $17,000 in food vouchers. We are told that nine out of 10 people are getting some $10 a week from them. These people are struggling now and they are having to get that welfare. There is also the amount of money that St Vincent's and other welfare organisations give out in help for utility bills. These people are suffering. These people are terrified.

Senator McLucas: Don't terrify them.

Senator MADIGAN: I am not terrifying them; they are telling me this. It is not my job to sell your policy. I cannot even get the answers when I sit in the Senate Committee on the Scrutiny of New Taxes. We were told that we cannot get a copy of the model. I have asked the question in the house: 'Did the government model the impact of this on regional Australia and places like the Latrobe Valley?' They said, 'No, there was no specific modelling done.'

These are the sorts of concerns that these people are raising. I hear you say that there are going to be new jobs. People ask me, 'Where are they?' I am told that there are people out there explaining these new policies and selling the tax to the community. But they have not been seen. The average people have not seen them. They are confused and they are scared. These are not my words; they are their words. They tell me about the people who committed suicide following the privatisation and the loss of their jobs. They tell me about the drug abuse. They tell me about the domestic violence. They tell me about the whole social re-engineering in the Latrobe Valley. I cannot dismiss their claims. There are many empty shops in the Latrobe Valley. Go down there and have a look at the sorts of
shops there because they are all the $2 shops. The thing about those sorts of shops is that they do not help the environment. One well-made article is better than 10 poorly made articles. If you want to help the environment, we need industries that manufacture and produce good articles. You help the environment, you help people and you help the economy that way.

Despite the supposed aim of reducing carbon dioxide emissions, we are told that emissions will increase. We have heavily subsidised wind farms and clean energy alternatives, and who knows if they are ever going to produce what is claimed. We have power companies that are now telling us that they are going to close down if they get enough money. I hope for everybody here, knowing how much power this place uses, that wind farms will produce the energy that is claimed. If these things shut down, what is going to replace them? Talking to former and current people in the power industry, they doubt these things—I do not know. What I do know is that they are people who live, work and produce the power that we all need. I believe this bill is a watershed for our community and our nation. I plead with people who have some integrity to please stop this bill now. Do not abandon it. If you feel it is something we truly need, work with it, get the figures right and open it to genuine, honest public debate and a forum which involves real people like the people in Moe, Morwell, Gippsland, Wendouree West, Doonside or wherever they may be. Be the leaders you were elected to be. The people of Australia did not elect a coalition government—neither a Liberal-National nor an ALP-Green government. On this and other issues, work with the Greens, not for them. Demonstrate that the ALP senators in this chamber are not only ALP members but members of the Australian Labor movement.

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (12:53): I welcome the introduction of the clean energy bills package into the Senate and I welcome the opportunity to make a small contribution to the debate. It was a day to celebrate when this package of bills passed the House of Representatives. It is a measured and sensible package in its response to the challenge of climate change—a challenge the world has known about for decades, a challenge that Labor has committed to deal with for years, a challenge the Liberal Party committed to deal with through an emissions trading scheme in the 2007 election and a challenge which has been squibbed by the current Leader of the Opposition, to the dismay of many Australians, to the dismay of many Liberal voters and to the dismay of many who sit opposite us in this chamber.

The challenge of climate change is being addressed right across the globe in absolute contrast to what you hear from some who sit opposite—and I say 'some' advisedly. This recent debate in Australia has been appalling, to say the least. The language of the debate from those who sit opposite ranges from disingenuous to downright lies. For them it is the politics not the policy that drives them. Let us first go to the science.

I am a proud North Queenslander. I am lucky to have the Great Barrier Reef and the wet tropics right in my backyard. They are fully deserving of their status as World Heritage icons. They are well managed by the Wet Tropics Management Authority and the Great Barrier Reef Marine Park Authority, but the impetus to take action on climate change is evident, given the threats they face. The science is absolutely clear: climate change is real and it is caused by the pollution created when fossil fuels, including oil and coal, are burnt. Every decade since the 1940s has been warmer than the last in
Australia and 2001 to 2010 was the warmest decade on record both here and worldwide.

Scientists tell us that if we do not act now average global temperatures will continue to increase and place natural ecosystems under significant stress. By 2050, climate change induced coral bleaching in the Great Barrier Reef is likely every year if average temperatures increase by just two degrees. Higher ocean temperatures and increased acidity levels will cause major changes to coral reefs and reef life. I have talked before in this chamber about ocean acidification.

The threat to our wet tropics rainforest from more intense cyclones and other extreme weather events is very real. We only have to see what has happened in the last five years—very real in a region already too familiar with the impact that seasonal weather events can have. We have strong calls from the Torres Strait to assist them with the increased tidal inundation which, in many respects, may be related to climate change.

Let us now go to the economic imperative. To tackle climate change we need to move away from our dependence on fossil fuels and to find cleaner ways of using them. The advice from economists is clear: putting a price on pollution is the cheapest and most efficient way to reduce our impact on the environment. Presently, emitting carbon pollution is free. While this continues to occur, there is no economic incentive or advantage for cutting pollution. Nothing will change. A carbon price is about changing the behaviour of our country's biggest polluters, making them pay for the emissions they put into the atmosphere and the impact they are having on our environment. Delay will only make our transition more costly and difficult. We need to give business certainty into the future. Doing nothing effectively gives a massive subsidy to polluting industries and that means that renewable energies find it very difficult to compete.

Tourism, more than most sectors, has a real and direct interest in reducing carbon pollution—particularly in North Queensland. The reef, for example, contributes approximately $6 billion to Australia's economy and provides full-time employment for more than 50,000 people. Many local businesses and jobs in the tourism industry depend on keeping our environment in the state it is in currently. Treasury modelling shows that the tourism industry has a strong capacity to manage the modest impact from the carbon tax. Services in the accommodation and hotel sector, a key element of the tourism industry, will continue to grow under a carbon price. The impact of a carbon price on the airline industry will also be modest. For example, Virgin Australia and Qantas estimate the carbon price will add $3 and $3.50 to the average ticket price.

Tourism is an industry that depends on discretionary income. When the carbon price is introduced next year, the government will provide generous assistance to households. Nine in 10 households will receive tax cuts, payment increases or both. This is expected to boost discretionary income. These are the very same families we want to encourage to our region to take holidays and spend their money in local businesses, and scaremongering will not assist in ensuring that our economic situation in North Queensland becomes viable.

We have a great range of opportunities in front of us with the introduction of a price on carbon. The clean energy trade is a huge and growing market and it is where many of the jobs of the future will be. Already we are seeing geothermal work underway on the Atherton Tablelands and incredible work being undertaken at James Cook University about the use of algae as a biofuel. Farmers
and Indigenous landholders have great opportunities through the Carbon Farming Initiative, and our research capacity will continue to expand. Our university, James Cook University, is the only Australian university to be recognised as having well above world standards in environmental science and management.

I commend our Prime Minister, Julia Gillard, and our Minister for Climate Change and Energy Efficiency, Greg Combet, on managing to deliver this policy through the Multi-Party Climate Change Committee. I contrast that with members of the House of Representatives from North Queensland whose commentary can only be characterised as scaremongering, misleading and, to be frank, not based in fact. Yes, climate change is complex and so the response to it has to be complex. That means you have to get your head around it. Labor is up to the challenge. I was terribly disappointed to hear the commentary from Mr Entsch, Mr Christensen and Mr Ewen Jones in the House of Representatives. It could only be described as scaremongering.

I also note that the contribution from Senator Macdonald in the Senate flies in the face of the science that I referred to earlier. I have been concerned throughout this debate that the language characterised by this debate has denigrated science and scientists. I stand here to support the principles of the scientific process. I also stand here to support the hardworking scientists who research the Great Barrier Reef and the Wet Tropics from the Australian Institute of Marine Science, James Cook University and other institutions. They do the hard work in our region to seek the truth and to find the facts that they can then provide to us as policymakers to inform the policy development process. I stand here to support them and not to denigrate them. I thank them for their diligence and their academic endeavour. I commend these bills to the chamber.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate) (13:02): These are very dark days, indeed. Before those on the other side say I am scaremongering, I do not think of myself as somebody who scaremongers or exacerbates situations. I look at myself as a mother, a wife, a farmer from central western New South Wales and a pretty balanced person when it comes to my approach to how I look at things like the carbon tax. I still come to the conclusion that these are very dark days, indeed.

What we have here is legislation that is based on a lie. We have legislation that is based on probably the biggest lie this nation has ever been told. I know colleagues before me have also raised this issue. That is because it is central to the fact that the Australian people have been misled. I know my colleague Senator Cash yesterday raised this issue in her excellent contribution in the chamber—that the Prime Minister lied to the Australian people. Let us just go back and have a little look at this. Before the last election what was it the Prime Minister said at the time? She said:

There will be no carbon tax under the government I lead.

To me, that is pretty clear. That is pretty simple. That is pretty straightforward. If I was setting out across Australia during the election campaign to cast my vote, I would be thinking, 'Okay, the Australian Labor Party are not going to bring in a carbon tax.' I am pretty sure that is what people would have thought. I am almost certain that is what they would have thought because they were told by the Prime Minister, Julia Gillard, that there was not going to be a carbon tax under the government she led. So they went to the ballot box and they voted.
Let us step forward a little bit. What do we see now? We see the Prime Minister of Australia, Julia Gillard, giving the Australian people a carbon tax. I do not think you have to be a rocket scientist or even a kindergartener to figure out that the Prime Minister lied to the Australian people. What we have now is a government that was elected on a false pretence. We have a government that was elected on a false promise to the Australian people. And it was barely elected. We have this cobbled together Labor-Greens-Independent government because the Prime Minister was far more concerned about getting into power than forming a government that could actually run the country properly. She simply had no desire to form a government that could do it properly. The reason I say that is that, sitting here today, it is obvious the government cannot run the country properly because we are dealing with this legislation.

Wayne Swan, the Treasurer, was asked on 15 August 2010, just before the election, about the carbon tax. He said:

Well, certainly what we rejected is this hysterical allegation that somehow we are moving towards a carbon tax from the Liberals in their advertising. We reject that.

Hysterical? We were spot on. We were right on the money. We were right on the money when we said to the Australian people, 'Beware of what you are about to buy. This Labor Party will give you a carbon tax.' We got told we were hysterical. We were absolutely right. That is not something I am happy about. I am really sad about that. I did not want to be right about that. I did not want to be right about that because we should not be having a carbon tax. Yet we have in front of us the carbon tax that the government promised the Australian people it would not bring in.

I am not sure whether it makes me completely furious or incredibly sad that we have a government that, on an issue of this nature, would tell the Australian people one thing and then do completely the opposite. Even if we take into account the fact that it was a mistake and the Prime Minister did not mean to do it—I do not think that was the case, but let us give her the benefit of the doubt for a moment—let us go to another election. Let us not introduce the carbon tax until after the next election. We could do then what we are doing at the moment: we could have the debate, we could have the vote and we could determine the future of this legislation. I simply say to the government, 'Say that you will not bring this carbon tax in until after the next election.' Why wouldn't the government do that?

Senator Cash: Because they'd lose!

Senator NASH: It just seems to be very sensible. Senator Cash says it is because they will lose. That is the reason this government does not have the courage to stand up for what it believes in and take this legislation to the next election—it knows it will lose. We know it will lose because I and my colleagues on this side of the chamber and in the other place have been out there on the ground speaking to people on the streets, in the villages and in the communities for years and years about this issue. They tell us overwhelmingly that they do not want a carbon tax.

On the North Coast recently I conducted a poll in the newspaper. Of course it was not a detailed poll like some of them are, but I thought it might give us a bit of an indication. We asked people to vote on a simple question: do you want a carbon tax? Two people were undecided, 136 wanted a carbon tax and 1,591 people did not. I know it was not conclusive poll, I am the first to admit that, but you do not have to be a kindergartener to figure out that it gives you a reasonably good indication of what people
on the ground are thinking. Those people who want a carbon tax had just as much opportunity to respond to my poll as those who do not want one. So if it is the case that people want a carbon tax, why did they not respond? It is because they know that this legislation is not going to achieve what the government wants it to. They know it is going to be a whacking great tax that will not make the slightest bit of difference to the climate. They know that. The Australian people are not stupid; they know what is going on here.

When you look at the Clean Energy Bill 2011, you can see that among its objects it intends:

(b) to support the development of an effective global response to climate change, consistent with Australia’s national interest in ensuring that average global temperatures increase by not more than 2 degrees Celsius above pre-industrial levels;

Support the development of an effective global response! Nobody else in the world is doing what we are about to do. It is a fact. The Productivity Commission even said recently:

... no country currently imposes an economy-wide tax on carbon emissions or has in place an economy-wide permit scheme.

So why are we doing this? Why are we the ones who have to be out there on the world stage leading the way, when no other country is doing what we are about to do? Even back in 2007, the Productivity Commission said:

Independent action by Australia to substantially reduce GHG emissions, in itself, would deliver barely discernible climate benefits, but could be nationally very costly.

You think? You only have to look at what the government is putting forward to see the cost impact this is going to have. You know that this is going to have an enormous impact on our families, and our families get it. They get it. Why are we doing this? I take senators back to 16 June, when Senator Boswell asked during question time:

My question is for the minister for climate change. Can the minister explain what purpose it will serve for Australia to enter into a carbon tax when our emissions are only 1.4 per cent but, in comparison, China's carbon emissions will rise by 496 per cent and India's emissions will rise by 350 per cent by 2020?

Do you know what the minister, Senator Wong, said in response?

The answer to it is this: because Australians are not slackers.

There is a good reason for us to impose on the Australian people a massive great tax that is not going to change the climate one little bit: because, apparently, we are not slackers. I am sorry; I actually require a bit more than that as a reason for the government of a nation to impose a carbon tax that is going to reconfigure our economy and hit regional communities harder than anywhere else but will not make the slightest bit of difference to the climate. The legislation before us is probably the worst piece of legislation we have ever seen in this place.

Senator Joyce: And that's saying something.

Senator NASH: That is saying something. We emit 1.4 per cent of the world's emissions, but we are going to have this whacking great tax that will not change the climate one little bit. No amount of debate—I do not care how many hours of debate we listen to in the other chamber and in this place—can take away from the fact that this piece of legislation is not going to change the climate one little bit. The government says, 'Oh, we're going to compensate,' because we on this side of the chamber are giving the Australian people facts. We are not scaremongering when we tell them exactly how this is going to hit their hip pocket. Electricity, fuel, transport—it is going to hit their hip pocket, there are no two
ways about it. As my good colleague and leader, Senator Joyce, says, it is going to come at you out of the shopping trolley and it is going to come at you out of the power point. The Australian people understand that the costs will be passed on. And the government admit that, because they have put in place a compensation package. By the very fact that they have put a compensation package in place, they have admitted that those companies will pass the costs on. How is it actually going to change the behaviour of those companies, which is what the government are trying to do, if they are going to pass the costs on and not bear the cost burden?

The compensation is very interesting, because guess what, colleagues? It is not ongoing. It is not going to go on forever into the future. It is not going to be rolling compensation that goes on for decades. This carbon tax is going to go on and on and on, which means the costs are going to go on and on and on. So the compensation in its theoretical form, from the other side of this chamber, is going to be very short lived. What is even more astounding—I should not actually be astounded by this, colleagues; we should not be at all surprised—is that the government have done part of their compensation as a one-off, upfront, lump sum payment before the commencement of the carbon pricing scheme. This advance payment is designed to cover a period of six to 18 months, depending on the type of welfare payment that a person is receiving.

Does this government learn nothing? A lump sum payment—let me see, colleagues. Let us go back to—oh, I don't know—maybe the $900 payment that went out from the government during the global financial crisis. What did we see then but a splash of activity, and the feedback coming from clubs and shops—for example, places selling plasma TVs—was that their profits went through the roof. Does the government really think that giving a one-off payment to tide people over for the next 18 months is really the smartest thing to do? Does it think that is a really clever way of dealing with compensation? The more important thing is that it is not ongoing, and under this government the carbon tax will be—and that is the very difference.

The impact on the regions is going to be enormous. While the government keeps saying, 'Agriculture is not included,' we know that down the track, when there is a review, there is capacity for agriculture to be included. This is not going off into the never-never of 'agriculture is going to be out forever'. It is simply not true. Putting that to one side, that is a separate issue anyway, because even if agricultural emissions are excluded, farmers are still going to bear all of those associated costs—fuel, transport, electricity, fertiliser. Farmers are going to get hit harder than those in so many other parts of our economy, much harder. What is extraordinary is that this government thinks that is okay.

Farmers are at the bottom of the food chain, and so often we have absolutely nowhere to pass costs on. But this government thinks that is fine. This government thinks it is fine for regional communities to be harder hit than anywhere else. This government thinks it is fine for farmers to bear the brunt financially of a whacking great new tax that is not going to change the climate one little bit. If I could come up with a better word for it, I would, but at the moment all I can come up with is 'stupid'. It is just stupid legislation from this government because it is not even going to achieve what the government is trying to achieve. The cost to farmers is going to be huge. Jock Laurie, the President of the National Farmers Federation, recently said:
Food processors are facing millions of dollars in higher costs as a result of the carbon tax, particularly through increased electricity prices, and many have said that the only way they can recoup this cost is to pass it on to their suppliers—our farmers.

That is precisely what is going to happen, colleagues. We have examples.

Under a carbon tax, the Murray Goulburn Co-operative's costs are going to go up over $5,000 per farmer, paid for by farmers. We are going to see rice farmers' costs, on average, increase around $10,000 a farm. The power increases are going to sit with our farmers. The power and gas bill for an average horticultural farm in the central west of New South Wales is going to go up to $50,000 a year. These are just tiny examples of the very real effect that this tax is going to have on people not only in our regional communities but right across the regions.

The end result: by 2020, what is going to happen? Our emissions are actually going to increase from around 578 million tonnes to 621 million tonnes. We are doing all of this, putting all of this pain on the Australian people, for an increase in global emissions. I am back to that word again, colleagues. It is stupid. It is simply stupid.

I and my colleagues on this side of the chamber will not step back one moment from trying everything we possibly can to ensure, under this government, that we do not have a carbon tax. But we can absolutely promise the Australian people that if the coalition is in government we will rescind this tax. There will be no carbon tax under a coalition government, and the reason we are so resolved about this is that we know it is wrong. We know the Australian people do not want it, and our job is to make sure we do the right thing by them. We know that this tax is not even going to do what the government intends it to do, and how stupid is that! It is a whacking new tax that is going to affect all Australian people and it is not going to change the climate one little bit.

Senator MARSHALL (Victoria) (13:22): I do not intend to speak for a long time.

Senator NASH: Why not?

Senator MARSHALL: The reason is that I have been speaking on this for nine years. We have been talking about the impact of climate change ever since I have been here, in opposition and now in government, and finally we are at the point where we are actually going to stand up and do what needs to be done. I am very proud of that and that is why I am going to speak. I am not going to mount all the scientific or economic arguments that we have talked
about over the years. I am just going to make a few points because it is important, I think, to put my position again in general terms in this debate, which is that we are going to do what we have known for decades needs to be done.

I want to start my contribution with a quote from my good friend Senator Chris Back. On 30 November 2009 he said:

Certainly we want to see action on climate change. Anyone who says that we do not is an idiot; a complete idiot.

Of course Senator Chris Back is a member of the opposition. I bet he wishes he could take those words back now because as he looks to the left of him in the opposition, and to the right of him and behind him, he sees those very people who do not want to take action on climate change, the very people he described as idiots—complete idiots. I am sure his colleagues wish that he had never said them in the first place.

We have spent enough time on this. The first government review of emissions trading was undertaken almost two decades ago. During this excessively long deliberation there is little that has been left unsaid on the matter; therefore, I wish to make only a few obvious points. As I have said already, I have spoken on this issue many times over the nine years that I have been here, and there is little left to be said. The science is clearly decided: climate change is happening now. This is not a matter of opinion. The science is there. The consensus of scientific professionals across the world is so strong as to be irrefutable. Continuing to debate this point is akin to debating the existence of gravity. I have not heard anything in the debate in this chamber that we have had over many years that has changed the position of the science one iota. What I have heard is a debate about political opportunism, not about science. It is about political opportunism for the opposition to mount a debate, a scare campaign, to galvanise political support based on ignorance, and I think they should be ashamed of that.

The economics of what we are doing are good. The mechanism that is central to the government's plan to reduce carbon pollution, putting a price on pollution, is supported by the IMF, the Productivity Commission and the federal Treasury as being the most effective way to reduce carbon pollution, and I have not heard anything in this debate that questions the economics of what we are doing. But again what we have heard is political opportunism, a scare campaign to try to galvanise political, opportunistic support against what this government is doing.

Given that the scientific and economic arguments are decided, we have to ask: why is the opposition persisting in this debate? Again, that only goes to reinforce that the debate is not at all about the issue. It is about the opposition abrogating their responsibility to do something and using a political opportunity to try to win support against a government that is prepared to make the hard decisions to do the right thing by the economy and by future generations of Australia. I believe that will ultimately backfire on them.

I do not want to be judged by history as belonging to a wilfully ignorant and obstinate group within this chamber whose legacy, if they had their way, would be to leave an uninhabitable planet for our children and our children's children. I do not want to be part of that legacy and I am not going to be. Our generations have consumed more of the world's resources than any generation before us, and this pattern cannot continue unabated. We know we need to act, and people who continue to stick their heads
in the sand, as the opposition does and would have us all do, commit what may well be the greatest negligent act ever visited on humanity.

History will catch up with those who oppose these important bills. In 2011 ignorance is no longer an excuse. Political opportunism is not a responsible course of action for people who have the responsibility to look after this generation, the next generation and generations to come. That is the responsibility we have in this place. I would not be numbered amongst those Australian politicians who once opposed the enfranchisement of women and Aborigines, I would not be numbered amongst those who opposed the introduction of universal healthcare or superannuation and I will not be amongst those to be condemned by history as opposing this important reform.

We do not do this because it is fun; we do it because it is the right thing to do. We know we have to act, we know why we have to act and we know what it is we have to do. We are going to do this because it is the right thing to do, not just for this generation but for the future generations of this country. I commend these bills to the Senate.

Senator BERNARDI (South Australia) (13:29): This is a dark day for all Australians. The debate on the Clean Energy Bill 2011 and related bills is evidence of Labor's monumental betrayal of the Australian people, a monumental betrayal by a government that stole the election based on a lie. It is a government that is captive to an extreme green agenda. It is also a government that seeks to implement a policy that will not achieve its aims and intentions, a policy that is informed by incomplete and biased science. I am constantly amazed how every member of this Labor government can step into this great house of parliament and honestly say that they are representing the will of the people. The evidence is there that they have deceived Australians, and by making these statements they are deceiving themselves. They are blind to their failures and are led by an extreme green party who are taking them into their world of skewed priorities and poisonous policies. Frankly, it is an absolute disgrace. Labor's deception began just days before Australians went to the polls. Julia Gillard promised Australians, on national television no less—

The ACTING DEPUTY PRESIDENT (Senator Furner): Order! You know the correct title to use when you are referring to a member of the other house.

Senator BERNARDI: Their name?

Senator Milne: She's the Prime Minister.

Senator Cash: The Prime Minister or Ms Gillard.

Senator BERNARDI: Okay. Well, the Prime Minister told a blatant untruth on national television when she said, 'There will be no carbon tax under the government I lead.' People may indeed be sick of hearing us say that, but we have to repeat that promise again and again and again because it was such a huge betrayal of the Australian people. Would Ms Gillard be Prime Minister today if she had told Australians the truth before the election? Just days after she made this false promise she reinforced her deception by saying repeatedly, 'I rule out a carbon tax.' The Prime Minister misled the Australian people to get their votes, and now that she is in the top job Australians are quite rightly questioning whether she could care
less about what they think. I have to say, it is no wonder that politicians are held in such low esteem by the public when the leader of a country can tell blatant falsehoods in order to get what she wants.

So I would say to the Australian people that this Labor government is based on a sham. It gained power by hoodwinking Australians and it has held onto power by continuing this ruse and by getting into bed with the Greens. It is entirely right that so many Australians feel so outraged by this. They should feel outraged, too, because the alliance between the Greens and the Labor Party that formed government fills everyday Australians with concern. The Greens party cares only for an extreme left-wing ideal. It has ideals that are rife with hypocrisy and it will do almost anything to see them become a reality. The Greens party has repainted old-fashioned Marxism with a pale-green brush and convinced a section of the Australian public that its agenda is cuddling koalas and saving trees. But make no mistake: this is a radical party that seeks to fundamentally change our economy and our society, and this party is pulling the strings in the Prime Minister's office and unfortunately it holds the balance of power in the Senate.

Any Australian who is seriously concerned about the future of our country owes it to themselves to take a deeper look at what the Greens believe, because I can assure all of them that when they examine the context of their policies it will surprise and horrify them. The Greens manifesto effectively wants to reduce humankind to just another species amongst species. We as human beings are just the same as any other animals, in the eyes of the Greens. The Greens want to tax all of us to the point of exhaustion. Their economic policy agenda lists tax after tax after tax. They want to take more money out of the pockets of everyday Australians and yet they want Australians to also pay more for electricity. They want to get rid of coal fired power stations and replace them with technology that simply cannot deliver the level of power that this country needs. This is yet another demonstration of the Greens party's complete lack of grasp of reality.

It is like they are living in a twilight zone, putting aside any semblance of common sense in order to realise their green dreams. This is a party whose leader wants to see one world government—long the domain of conspiracy theorists. Senator Bob Brown proved just how ridiculous his policies are when he said, 'Why shouldn't we now join vigorous moves in Europe and at the United Nations for a global people's assembly based on one person, one vote, one value?' Along with his band of green minstrels, we see further evidence that the Greens have their priorities all wrong. Senator Brown once issued a press release calling for a register of businesses based on the religious beliefs of their owners, and yet at the same time members of the Greens party promote and support boycotts of businesses that do trade with Israel or that are owned by Jews—actions that sicken most normal Australians.

The Greens have also developed an audacious reputation for hypocrisy. Senator Bob Brown was reported as saying that 'people do not make large donations to political parties without having in mind favour in return'. Yet that purity did not stop him and his party pocketing the largest ever individual donation in Australia's political history—$1.6 million. What about the suggestions and accusations that could have been aimed at Senator Brown and his party when they then asked a number of questions in this place that were directly relevant to the business interests of that donor? Any cursory examination gives it an aromatic scent of dodgy Third World politics. This is a party big on grandstanding and small on substance.
It is a party with an extreme agenda that is very damaging to all of Australia. The Greens are an alarmist movement that will seek to trade in and profit from human misery because that will suit their political agenda. Why on earth, I and the Australian people ask, are Labor letting the Greens run the country? It is because they are scared of losing power. The Labor Party spent 11 years in the opposition wilderness and when they finally got into government they stuffed up on a monumental scale. Labor know they are incapable of running the country effectively. We have seen it with the bungled Home Insulation Program, the BER, cash for clunkers, the citizens assembly that never saw the light of day, green loans, Fuelwatch, GroceryWatch and I could go on. Labor are scrambling. They are scared and they are clinging to the Greens as the only hope they have of surviving in the short term. But make no mistake, just as a female praying mantis bites the head off its mate after copulation, so too will this grubby alliance with the Greens destroy the Labor Party.

Labor is letting the Greens call the shots and Australians are going to pay dearly for it. The first thing they are going to pay dearly for is this carbon tax. This carbon tax will have a detrimental effect on Australia. It will move Australian businesses and jobs offshore. It will cause thousands of Australians to lose their jobs. It will have a destructive impact on our country's international competitiveness. It will push up prices for already struggling Australian families and it will not provide any benefit for the environment. Even the government's own people have admitted this. Former climate change minister Penny Wong was quite adamant that a carbon tax was not effective. I will give you some quotes from Penny Wong:

A carbon tax is a less efficient way in the Australian Government's view of dealing with this issue.

This too was Senator Wong:
Unfortunately a carbon tax is not the silver bullet some people would think.

So said Senator Wong:
You can't have any environmental certainty with a carbon tax.

Once again Senator Wong said:
The introduction of a carbon price ahead of effective international action can lead to perverse incentives for such industries to relocate or source production offshore.

This carbon tax is based on false assumptions and dubious science. It is based on science muddied by self-interest. Why, we ask ourselves, is this government seeking to impose this ridiculous tax on us? What have they actually based it on? They have based it on the IPCC, that bastion of independence and impartiality—I only wish Hansard could detect the sarcasm in my voice when I say that. This government, time and time again, has used information from the IPCC to justify its misguided policies on climate change. Yet last year the IPCC was exposed as a deceptive and incompetent organisation. It claimed that its reports were based on conclusions by thousands of scientists, yet only a relative handful of scientists contributed to its climate change sections. Many of the leading authors of the IPCC reports are graduate students in their 20s. One co-author was a previous Greenpeace campaigner and became an author at the IPCC at the age of 25. Another one became a lead author well before getting her PhD and was co-authoring reports 10 years before even that. Some unkindly suggest that these youngsters were chosen based on their malleability and compliance or on their precommitment to climate change alarmism, but at least they actually did some research. The IPCC attributed reports of Himalayan glaciers
melting to a scientist who actually never made those claims, yet this did not stop the Chairman of the IPCC using this falsified information to justify a research grant going to his own organisation.

The fraud continues with the IPCC's claim that natural disasters would increase due to global warming. Third World nations use this as the basis to seek millions of dollars in compensation, yet this IPCC claim was based on an unpublished report that had not been subject to scientific scrutiny. What about that fairytale that IPCC reports are solely based on peer reviewed research? It is exactly that: a fairytale. For example, in its 2007 assessment report, 30 per cent of the citations were not peer reviewed. This is despite the IPCC Chairman, Dr Pachauri, saying to legislators in 2008:

We carry out an assessment of climate change based on peer-reviewed literature, so everything that we look at and take into account in our assessments has to carry (the) credibility of peer-reviewed publications—we don't settle for anything less than that.

That is a blatant falsehood and not one single person corrected his statement, not one scientist. Such dishonesty is mind-boggling, yet that is what this government has built this outlandish and outrageous tax upon. Our government has swallowed the IPCC information hook, line and sinker and they have employed their very own mouthpieces to perpetuate more of the same.

Take for example the PT Barnum of climate science, Tim Flannery. Why should we believe what he says about the impending threat of rising sea levels when he owns a low-lying waterfront home on the Hawkesbury River? This is a man who, despite all of his alarmist comments about sea levels rising and global warming, has said on the ABC that he cannot explain why we have gone through a slight cooling trend for the last 10 years, just as the alarmists cannot explain recent best research that confirms there has been no statistical warming for 10 years, despite an ongoing increase in carbon dioxide emissions. This is why the alarmists and this government will not answer some fundamental questions. By how much will this carbon tax, which will disadvantage every Australian, reduce global warming? How many droughts will this carbon tax avoid? By how much will this carbon tax stop sea levels rising? How much more rain will fall due to the this carbon tax being imposed? How many fewer climate change refugees will end up coming to our shores in leaky boats? They will not answer these questions simply because they cannot. The government also cannot answer this simple question: why is the three per cent of human caused emissions driving climate change and not the 97 per cent of natural carbon dioxide emissions? The amount of complete and utter nonsense that this government have swallowed is staggering and now they are forcing the Australian people to digest this nonsense too.

This package of bills began with political falsehoods of monumental proportions. It is built on a succession of lies, falsehoods and distorted science. These bills are based on alarmism rather than prudence. They are based on spin rather than substance. Why should that surprise us, given the track record of this government? This carbon tax proposal is sustained and endorsed by rent seekers, extremists and government funded propaganda. I am here to tell you Australians have had enough. They have had enough of the mismanagement. They have had enough of the deceit. They have had enough of the waste of their hard-earned taxpayer dollars. They have had enough of Senator Bob Brown and his Greens party pulling the strings while the hapless Prime Minister dances to his tunes. Australians do not want this carbon tax. It is a tax that will
fundamentally change our economy, raise prices for families, push our jobs overseas and cripple business, and all for no environmental gain. It is a tax that is a child of this unholy Labor-Greens alliance. It is a tax that is grounded in dubious and self-interested science. Australians do not want this tax. This Greens-led Labor government does not deserve to be called the Australian government, because it continually fails to represent the interests of the Australian people and the interests of the Australian nation.

Senator CAMERON (New South Wales) (13:45): Having listened to some of the contributions from the coalition in this debate on taking this country forward, I wonder what it would be like under the type of scientific nonsense that they are pushing. They are anti-scientific; they just do not believe in the science. We have heard the arguments that climate change is not really happening from those opposite—'What is this issue about carbon dioxide?'—and I would invite any of the coalition senators to talk to the CSIRO, to the Australian Academy of Science and to our own eminent scientists within Australia who understand the issue, and not to listen to the nonsense and rhetorical flourishes that we hear from the likes of Senator Bernardi in his attempt to discredit the scientists of this country and scientists overseas.

I have said on a number of occasions that even the Pope is concerned about the issue of global warming. I am not normally one to be quoting the Pope in the Senate, but his Pontifical Academy of Sciences has said there is a real problem out there. The Pontifical Academy of Sciences says the icebergs are falling into the sea and the sea level is rising, and if we do not do something about it we are in for really big problems. Yet all we get from the coalition is the nonsense that this is the view of extremists. I do not know what has happened to the Catholic Church, but I am not sure that you could argue the Pope is an extremist in relation to climate change.

Another 'extremist' out there is David Cameron, the Prime Minister of the UK. He is no relation of mine; he must be from the 'black' Camerons if he is a Conservative. David Cameron has personally congratulated the Prime Minister on her carbon tax policy. He sent a letter from 10 Downing Street to say that the Australian government's move on climate change was bold and ambitious. He said the government was dealing with one of the most pressing threats to our nations' prosperity and security. That is what a Conservative Prime Minister who seems to care about the environment says. But in Senator Bernardi's view he would be another extremist. All these extremists—like Margaret Thatcher, John Howard and Peter Shergold—are out there saying there is a problem. You would not say that they were leading the left-wing charge anywhere in the world, but there we go; these are thrown in as extremists by Senator Bernardi. If they are extremists, I have not seen one yet.

There is yet another supposed extremist: Malcolm Turnbull. And what does the former Leader of the Opposition say in terms of the opposition's policy? The opposition have a policy called 'direct action'. It really is just an excuse to do nothing, it is the 'do nothing' policy. It is saying, 'We will pay the polluters to stop polluting, and every family in Australia will pay $1,300 to pay for us to look after the polluters in this economy.' And what does Malcolm Turnbull say about that? He says, 'It is what it is.' That is how he describes the policy—it is what it is. It is a policy where, yes, the government picks winners. There is no doubt about that. It is a policy where the government spends taxpayers' money to pay for investments to offset the emissions from industry.
There are two virtues of that from the points of view of Mr Abbott and Mr Hunt. One is that it can be easily terminated. It is the coalition's con job on the climate. That is what this is: it is a coalition con job. They never mean to do anything. They say: 'Yes, we will set similar targets to the Labor government. We will set targets and try to reduce pollution, but we will set up this scheme that will do nothing. We will set up a scheme that we can just get rid of easily.' That is the position of the coalition. The hypocrisy just oozes out of the coalition every time they get on their feet. They know the best way to deal with carbon pollution in this country is to let the market deal with it, not to try to pick winners, or to try to have the government and ordinary taxpayers pay polluters to reduce carbon pollution. Putting a market price on it is the proven way to do it. Yet all of those on the other side, who have been lecturing me about how the market should operate even though I was a union official, run away from it.

We have people like Senator Bernardi who is continually running the line that has been run by the extremists. He is an extremist on carbon pollution. He does not think there is a problem, and that is a problem for my grandkids. I have two beautiful grandkids, Amy and Scott, and I want them to have a decent life in the future. One of the most important things you can do to give your grandkids a decent life in the future is to make sure they have an environment that they can live in. We need to give them an environment where they can bring up their families in the future in the same way we have done, where they are not worried about rising sea levels, global warming or mosquito borne diseases because the temperatures are increasing. We on this side want them to have a decent life in the future, and that is what this package of bills is about. It is about Australia playing its part in a global attempt to reduce the temperature of the world so that we can have a decent environment in the future. Mr Acting Deputy President, look at some of the speeches that have been made. I will not say much about Senator Joyce's speech. I got the Hansard and had a look at it. I tried to make some sense of Senator Joyce's speech in the Hansard. It was almost incomprehensible. For someone who thinks he might one day be the Deputy Prime Minister of this country to go on with the garbage that Senator Joyce spewed out in here on climate change is an absolute disaster for this country. It was incomprehensible, unintelligible and just plain dumb—absolutely dumb.

Then we had Senator Abetz. Senator Abetz led the debate off for the coalition. He did not say much that we have not heard him say before. We know that he is a climate change denier. We know that he is not in touch with the scientific reality of where we are.

The one that I liked was the speech by Senator Back. Senator Back made a fantastic contribution. He actually channelled Alan Jones. He was in here with all the questions about percentages of carbon dioxide in the air: it is less than 0.04 of one per cent; it is one twenty-seventh of one per cent; it is only one molecule in 90,000 molecules in the air—all absolute garbage, absolute nonsense. He really does need to get some re-education from the scientists of the Australian Academy of Science, the Bureau of Meteorology or the CSIRO, because this stuff was just so much nonsense.

What they do not say is: 'We don't really understand this. We've listened to Alan Jones and we've just come into the Senate to regurgitate Alan Jones.' Let me tell you what he also said:

Governments of all persuasions cannot pick winners. If they are good enough to survive in the commercial world, they do not need a subsidy. If
they need a subsidy, it is because they cannot survive. Examples can be given of companies that have failed to the tune of $400 million and $500 million simply because they had the wrong economic model. Who on the Labor government side is going to pick these winners? Who is going to spend the taxpayers’ money to try to pick winners which industry, business and commerce nationally and internationally cannot?

Senator Back, nobody is picking the winners on this side. We are saying the market will reduce the costs. Senator Back, in going out into that little area, demonstrated that this 'strong voice', this false 'look at me; I really know what I’m talking about' is just so much garbage. What did Senator Back really do? Senator Back, in that paragraph of his speech, actually destroyed 'direct action', because direct action is about picking winners. Senator Back actually destroyed the coalition policy. He obviously does not know what the coalition policy is, because he came out and hammered exactly what the coalition policy is: using government funds to pick winners. That is exactly what direct action is, Senator Back. I would ask you to go back and have a look at what you said, and then tomorrow you will need to say to your leader: 'I'm sorry, I've blown your cover. Whatever accent he is using, it might be nice if Senator Cameron were to learn Senator Sinodinos's correct name. Whatever accent he is using, it might be nice if Senator Cameron were to address the senator by his correct name.

The PRESIDENT: Senators are entitled to be correctly addressed in this place.

Senator CAMERON: I apologise, Senator Sinodinos, but that does not move me one bit. You must do exactly what you advised John Howard to do. You must, in my view, stand up and educate the coalition on climate science and on decent economics. That is the task you have got, because they are an absolute—

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Qantas

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:00): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Minister representing the Prime Minister. I refer to the Prime
Minister's claim that to use section 431 as opposed to section 424—

*Government senators interjecting—*

**The PRESIDENT:** Order! Senator Abetz, resume your seat. You are entitled to be heard in silence, and I am entitled to hear the question. Senator Abetz, continue.

**Senator ABETZ:** I refer to the Prime Minister's claim that to use section 431 as opposed to section 424 of the Fair Work Act in the Qantas dispute would create 'legal uncertainty' and was 'untested'. I also refer to the fact that the Transport Workers Union boss, Tony Sheldon, as well as Barry Jackson from the pilots' union, are considering challenging Fair Work Australia's decision.

**Senator Sterle:** What did you know, Eric?

**Senator Carr:** When did you know?

**The PRESIDENT:** One moment, Senator Abetz. I am not trying to disturb your question.

**Senator Sterle:** I am!

**The PRESIDENT:** That is not the right attitude to have in this place. Senator Abetz, continue.

**Senator ABETZ:** Given that section 424 of the Fair Work Act had never been used and was therefore untested and that these unions are now threatening to challenge Fair Work Australia's decision anyway, thereby creating legal uncertainty, does the minister concede that he should have made a declaration under section 431 and thereby avoided the grounding of the Qantas fleet?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:02): As far as I remember the question—given all the interruptions between its being asked and my rising!—the answer is no. I have made it clear publicly and to the Senate that the government acted on the advice provided by the department about the best method for us to bring to an end the industrial disputation at Qantas following the decision of Qantas to lock out its employees—lock out thousands of its workers—and begin notifying them that it would do that from 8 pm on Monday. As we know, Qantas then took the action of grounding its aircraft from 5 pm on Saturday. Our advice was that the best way of bringing the issue to a head and getting orders to terminate the action was to apply, under section 424 of the act, for Fair Work Australia to make orders ending the bargaining period and terminating all industrial action. That was the advice we were given. That was the advice we accepted. We moved immediately to make that application to Fair Work Australia and, as we know, Fair Work Australia convened at 9 pm on that Saturday evening to begin immediately to deal with it. So that was the advice the government received, and we acted upon it. The references Senator Abetz made are references to an explanation we were provided with as to why using that section was preferable to using section 431. That was the legal advice the department provided to the government. It included concerns about potential judicial review and issues of procedural fairness that might apply to the use of section 431. Based on the advice we got, we took that decision—and it worked.

**Senator ABETZ** (Tasmania—Leader of the Opposition in the Senate) (14:04): Mr President, I ask a supplementary question. If the government in fact acted on departmental advice, why did it seek in the alternative—as was the minister's preference—a suspension as opposed to a termination of the industrial disputation? Why did the minister do this
knowing that it would have left Qantas planes and passengers grounded?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:05): Senator Abetz is again relying on newspaper articles that have been wrong and misleading for days now. I made it clear that we acted on that advice. I also confirmed for Senator Abetz that at all stages the Commonwealth government sought the termination of all industrial action. That was my recommendation. That was the submission made by the Commonwealth—that all industrial action be terminated. It argued that, if Fair Work Australia was not prepared to grant immediate termination, there be at least a suspension. But the Commonwealth argued strenuously—

Senator Abetz: Ha ha!

Senator CHRIS EVANS: Senator Abetz, read the transcript.

Senator Abetz: I have.

Senator CHRIS EVANS: The Commonwealth government, at my instruction to our advocates, argued at all times for full termination of all industrial action. (Time expired)

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:06): Mr President, I ask a further supplementary question. I note the minister's denial that the government sought in the alternative to suspend the action. How does he explain, in the very first paragraph of Fair Work Australia's decision, 'The minister has made application for an order under section 424 of the Fair Work Act 2009 terminating, or in the alternative suspending for a period of 90 days, protected industrial action'? Which was it, Minister? Or did Fair Work Australia get it wrong as well? (Time expired)

Senator CHRIS EVANS: That is exactly what we argued for, Senator. We argued for full termination and we argued that, if, in the alternative, Fair Work found that it had not been proven, if they were not satisfied by that case, they should at least grant suspension. But I am pleased to say that Fair Work accepted the Australian government's arguments, granted full termination and therefore ended the dispute. (Time expired)

Small Business

Senator MARK BISHOP (Western Australia) (14:08): My question is to the Minister for Small Business and Minister Assisting the Minister for Tourism, Senator Sherry. Can the minister outline to the Senate how the Gillard government is helping—

Opposition senators interjecting—

The PRESIDENT: Wait a minute, Senator Bishop. I cannot hear the question. When there is silence, we will proceed.

Senator MARK BISHOP: Can the minister outline to the Senate how the Gillard government is helping small businesses grow, increase productivity and
create jobs? Can the minister outline how the government’s strategy of tax cuts and incentives, workforce education and technological development will ensure a more prosperous future for Australia’s small businesses and their millions of employees?

Senator SHERRY (Tasmania—Minister Assisting on Deregulation and Public Sector Superannuation, Minister for Small Business and Minister Assisting the Minister for Tourism) (14:09): Thank you to Senator Bishop. That was a very big question, not a small question, and it demands some detailed response. Yesterday I launched research which reinforces the importance of small businesses to the Australian economy, compiled by the Department of Innovation, Industry, Science and Research. It found some two million small businesses provide jobs for almost five million Australians and account for nearly half of industry employment and a third of industry value added in the year 2009-10. Small business has a major presence in all industry sectors. It accounts for 98 per cent of all businesses in the agricultural sector, 96 per cent in the services sector, 91 per cent—interestingly—in the mining sector and more than 90 per cent in tourism.

Small business will be amongst the major beneficiaries of the government’s tax package funded by the mining resource rent tax, of which we are particularly proud on this side. It is a fair tax that will take a large proportion of the superprofits of the mining giants in this country and redistribute them to all Australians but particularly to small business. For small business, this will include a range of tax cuts—tax cuts for small business, funded by the mining resource rent tax. This will include improved write-offs—the current $1,000 deduction will be increased to $6,500 and there will be an immediate write-off of up to $5,000 for motor vehicles. This will provide over $1 billion in tax cuts for small business, funded by the mining resource rent tax. And, of course, the company tax, which flows to some small businesses, will start early in the 2012-13 income year. These tax cuts for small business—more than $1 billion worth—are friendly policies for small business. They will boost cash flow significantly and help create jobs. (Time expired)

Senator MARK BISHOP (Western Australia) (14:11): Mr President, I ask a supplementary question to the minister, arising out of that response. Can the minister outline how the Gillard government is helping small businesses go online to take advantage of the enormous growth in e-commerce? How is the Gillard government assisting small businesses to address labour and skills shortages and ensuring the professional development of Australian workers?

Senator SHERRY (Tasmania—Minister Assisting on Deregulation and Public Sector Superannuation, Minister for Small Business and Minister Assisting the Minister for Tourism) (14:12): First, and most obviously, through the National Broadband Network, a visionary project supported by this Labor government to strengthen the economy but particularly to strengthen small business in this country—and always so well outlined by my colleague Senator Conroy. What better example could there be than the National Broadband Network—strengthening the economy, particularly in regional Australia, and of particular relevance to small business?

And, of course, we have had changes to research and development tax incentives—so well outlined by my colleague Senator Carr. These are particularly beneficial to small business.
We have tax cuts—more than $1 billion worth of tax cuts—that benefit small business directly. We have the National Broadband Network. We have research and development tax incentives. (Time expired)

**Senator MARK BISHOP** (Western Australia) (14:13): Mr President, I ask a further supplementary question. Is the minister aware of any alternative policies to the Gillard government's business- and worker-friendly programs? Do these alternative policies pose risks to Australia's long-term prosperity?

**Opposition senators interjecting**—

**Senator MARK BISHOP:** Yes, do they? Tell us whether they do.

**Senator SHERRY** (Tasmania—Minister Assisting on Deregulation and Public Sector Superannuation, Minister for Small Business and Minister Assisting the Minister for Tourism) (14:13): As I mentioned, $1 billion worth of tax cuts—

**Senator Mark Bishop:** How much?

**Senator SHERRY:** One billion dollars worth of tax cuts for small business, funded by the mining resource rent tax, which the Liberal and National parties oppose. They oppose the mining tax. They want to pay the money back to mining companies, who actually want to pay it to the government. They also will increase taxes for small business. They are going to have to remove the $1 billion in tax cuts that we are providing for small business. But it gets worse: they are opposed to the National Broadband Network. They want to disconnect—unplug—small business from this important initiative. We have nothing from the Liberal Party and the National Party other than increasing taxes on small businesses and unplugging the Broadband Network. Where are the positive policies? (Time expired)

**Qantas**

**Senator RONALDSON** (Victoria) (14:15): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans. I refer to the fact that the CEO of Qantas, Mr Joyce, had numerous meetings with ministers at which he pointed out the damage that the union campaign—

**Senator Carr interjecting**—

**Senator RONALDSON:** Why don't you do a bit more leaking? He pointed out the damage that the union campaign was causing to the airline and the fact that it could lead to the company grounding its aircraft. Given that the minister is a former union official and given that 28 out of 31 senators opposite are former union officials, does the minister seriously expect Australians to believe that not one member of the government anticipated Qantas doing what its CEO had warned them about and grounding its fleet? Why didn't the minister see this train wreck coming?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:16): I thank Senator Ronaldson for his question and for reminding me that I was a union official. I think that it was pre-war—it was a fair while back, but I do recall it. I thought that I would say it and save my colleagues saying it.

The government have engaged constructively with both Qantas and the various unions in dispute with Qantas in recent months to do what we could do to help resolve the disputes at the heart of this industrial disputation. We have done everything that we can to assist the parties. We have also made offers that have not been taken up by the parties in terms of alternative conciliation procedures. We have tried to
work as positively as we can to assist the parties. But, as Senator Ronaldson would know, both sides of these disputes—the unions and Qantas—were arguing publicly that they ought to be allowed to negotiate, that they continued to bargain in good faith and that they wanted the matter to be resolved by negotiation.

At no time, either publicly or privately, did either Qantas or the unions ask for our intervention. In fact, on a number of occasions it was made clear to me that it would not be welcomed. We were under the clear impression, as was Australia, given the public comments, that people wanted to negotiate that settlement. Many of the parties were appearing before Fair Work Australia in conferences seeking to resolve their differences. Those are the facts in relation to the government's engagement with the Qantas industrial disputation. We were anxious for the parties to resolve those matters. We understood the seriousness of the issues for Qantas. We also understood the genuine concerns of workers about their jobs. We wanted them to talk seriously about both issues.

**Senator RONALDSON** (Victoria) (14:18): Mr President, I ask a supplementary question. Rather than mouthing tired clichés about getting people around the table, why didn't the minister or the Prime Minister say to Mr Joyce, 'Don't ground your fleet; we'll intervene,' and thus avoid 48 hours of chaos for the travelling public? Does the minister seriously contend that the CEO of Qantas would still have grounded the Qantas fleet if he had received such an assurance?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:18): I will say this in response: I do not think that Mr Joyce was in any doubt, after having a conversation with me, that the government's view was that he should not ground the fleet. I do not think that he was in any doubt. And, from what I have heard about Minister Albanese's advice to him, I think that he too made it very clear. In fact, I pushed Mr Joyce very hard not to read me his script but to tell me what industrial action was currently occurring at Qantas. The best he could do was to say that I should know that. I did know it. I knew that all industrial action by the engineers had been suspended. I knew that the pilots were taking action: they were wearing red ties and making announcements. And the TWU had had a one-hour stop-work meeting. I asked him whether he thought that justified closing down the airline and causing disruption to thousands of Australians and he would not answer me.

**Senator RONALDSON** (Victoria) (14:19): Mr President, I ask a further supplementary question. Now we have pushed the button. Isn't it the case, Minister, that on your watch we have seen our borders overrun by people smugglers, a regulation that almost shut down the Queensland community service sector and now inaction that has forced Qantas to ground its fleet? Minister, isn't the backbencher who said, 'Everything he touches turns to the proverbial; he left us with this problem on border security and he's not much better in IR,' spot on? Minister, shouldn't the words 'I did not anticipate it' be your political epitaph?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:20): I do not intend to respond to the quoted criticisms that Senator Ronaldson makes. We have a very robust democracy and I accept that that comes with the job. But I say to him that it is a fact that at no stage...
did Qantas raise with the government before that Saturday afternoon that they were contemplating a lockout of their employees, the most dramatic action that they could take; the equivalent of a general long-term strike by all employees against an employer. There was no warning given to the government that they were considering that option. When they advised us I was shocked that they would take that action.

Senator Ronaldson: The grounding or the lockout?

Senator CHRIS EVANS: The lockout. They had been public about their concerns about the impacts of the action on them but at no stage prior to Saturday afternoon did they raise the possibility of a lockout.

Forestry

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (14:21): My question is to the Minister for Agriculture, Fisheries and Forestry, Senator Ludwig. Minister, is it true that clause 25 of the Tasmanian Forests Intergovernmental Agreement requires that the Tasmanian government 'immediately place' 430,000 hectares of native forests into informal reserves in which there is to be no logging? If so, what action has the federal government taken to stop Tasmania's blatant breaching of the intergovernmental agreement by its ongoing logging within the 430,000 hectares?

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:22): I thank Senator Milne for her question. Of course, the Tasmanian forestry industry is, as recognised, undergoing a restructuring and reshaping brought about by several key events and circumstances, which is about a decline in the traditional market and an agreement between environmental NGOs, forestry industry organisations and the CFMEU; the Tasmanian Forests Statement of Principles; and of course Gunns Ltd's commercial decision to withdraw from native forest logging.

In response to these, the intergovernmental agreement between Tasmania and the Australian government was signed by the Prime Minister and Premier Giddings in Hobart on 7 August 2011. It provided a $276 million agreement aimed to secure jobs; diversify the economic base for Tasmania; ensure, particularly in relation to the specific issue that Senator Milne has raised, the ongoing sustainability of the forest industry; and achieve environmental outcomes. To that end the intergovernmental agreement does respond to changes in the industry; it is not driving changes in the industry. One of important parts is the independent verification group, convened by Professor Jonathan West, who is assessing the conservation values of the ENGO and nominated 572,000 hectares and assessed reserve areas compatible with good supply guarantees to determine the area of high-conservation-value forests to be given legislative protection through inclusion in formal reserves. So this is the process that is currently being undertaken. Where harvesting work has already begun in specific coupes within the nominated 430,000 hectares, rescheduling will occur as soon as practicable, as a list of coupes that will be harvested will be agreed by the government and statement signatories. (Time expired)

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (14:24): Mr President, I ask a supplementary question. Thank you, Minister, for your answer. I want to follow up on what you said just a moment ago, because you repeated what you said yesterday, which was: 'A list of coupes that will be harvested will be
agreed to by the government.' Are these coupes to be within the 430,000 hectares of informal reserves? Is it true that clause 25 prohibits that logging within the 430,000 hectares or are you going to renegotiate the intergovernmental agreement to allow them to continue to log within the 430,000 hectares?

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:25): I thank Senator Milne for her first supplementary question. To be clear: on 21 August 2011 Forestry Tasmania wrote to the Tasmanian and Australian governments advising that there were 41 coupes within the immediate protected area, which it believed are the minimum necessary to meet contractual agreements within economic constraints while respecting legislative and technical requirements including the Forest Practice Code. In accordance with the requirements of the Tasmanian Forests Intergovernmental Agreement, the IGA, the independent expert forest schedulers were appointed to determine which harvesting work is currently occurring within those coupes—that is, within the 430,000-hectare area nominated for conservation—and the contractual wood supply that is required to be met, and whether there are practical alternative coupes outside the 430,000-hectare area for meeting those contractual wood-supply requirements. Initial advice prepared by the two independent expert schedulers was presented to government and signatories on 13 October 2011. Following consideration of that advice, signatories have requested further information from the independent expert schedulers to clarify and expand on a number of elements— (Time expired)

**Qantas**

**Senator BRANDIS** (Queensland—Deputy Leader of the Opposition in the Senate) (14:27): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Minister representing the Prime Minister, Senator Evans. I refer the minister to comments made by the Prime Minister on 17 October—

**The PRESIDENT:** Order! Senator Brandis is entitled to be heard in silence and I am entitled to hear the question—and so is the minister.
Senator BRANDIS: Thank you, Mr President. I refer the minister to comments made by the Prime Minister on 17 October when, in relation to the Qantas dispute, she said, 'The last thing I am going to do is pick sides.' I also refer to the Prime Minister's press conference last Saturday when she said, 'I'm not going to involve myself in making statements about either side of the dispute.' Given those remarks, can the minister explain why the Prime Minister and other senior ministers labelled Qantas's action 'extreme' but failed to utter a breath of criticism of the unions' campaign to, in the words of the president of the TWU, Mr Tony Sheldon, 'bake Qantas slowly'?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:29): The senator really answers his own question in the course of asking it. What the Prime Minister was saying during those various periods was that we were not picking sides. We encouraged the parties to negotiate in good faith and use the services of Fair Work Australia if they needed them, but to resolve the dispute. That was exactly the sort of advice that both the Minister for Infrastructure and Transport, Mr Albanese, and I were giving. So the government has been totally consistent throughout on that matter. When there have been inappropriate comments like those made by the Secretary of the Australian Licensed Aircraft Engineers Association—he made some totally inappropriate comments—at least three ministers, I think, spoke publicly criticising those comments as being inappropriate and not helpful to good industrial relations. The Prime Minister, quite rightly, regarded the decision by Qantas to lock out thousands of its employees—most of whom were not undertaking industrial action currently—from their places of work as extreme. At eight o'clock on Monday night it was going to lock out thousands of its employees, most of whom, as I said, were not taking industrial action currently and some of whom were taking industrial action that consisted of wearing non-uniform ties. We regard that as extreme. I think most people in Australian industrial relations regarded it as a fairly extreme step. Even those who supported it would argue that it was a very extreme step. It is the equivalent of an all-out strike by all employees of an employer shutting down their industry. It is the employers' equivalent. You would have been highly critical of a walkout of all the trade unions and all their members and you would have described that as extreme, and rightly so. The Prime Minister is perfectly accurate in describing Qantas's actions as extreme.

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:31): Mr President, I ask a supplementary question. Given that the government was made aware of plans for a lockout, including the imminent grounding of the Qantas fleet, not later than early on Saturday afternoon, isn't the lambasting of Qantas by the government just a way of deflecting—

Government senators interjecting—

The PRESIDENT: Senator Brandis, just resume your seat. Senator Conroy, I am entitled to hear the question.

Senator BRANDIS: Isn't the lambasting of Qantas by the government just a way of deflecting the hard questions about why the government failed to act sooner, in particular by making a declaration under section 431 which would have taken effect immediately?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:32): As I understand it now, I found out
about it at the same time the opposition claims it found out. And we are not actually sure whether they may not have found out about it a bit earlier. Mr Abbott has apparently refused to answer at a doorstep when he found out. In fact, he ended the doorstep and left. So I think there are questions. The government has been very clear about when it found out. It is now a bit of an open question as to when the opposition found out. But, as I have repeatedly said, when advised by Qantas as a courtesy—not offering us options, not inviting us to intervene, but advising us of their actions and advising that if it leaked they might take that action earlier; that is, they would not be deterred from taking that action—we sought proper advice, followed that advice and were successful in ending the dispute before the lockout was due to occur.

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:33): Mr President, I ask a further supplementary question. Does it not follow from the minister's last answer that the government did not seek advice until it had been told of the imminence of the lockout? Had the government sought advice sooner than that, would it not have been in a position to make a 431 declaration immediately and thus avoid the lockout, avoid the grounding and avoid 48 hours of inconvenience to the Australian travelling public?

Honourable senators interjecting—

The PRESIDENT: When there is silence we will proceed.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:34): No, Senator Brandis, it does not follow. The government was in receipt of advice from its department and the legal team inside the department about issues at Qantas over a period of months. All those options had been presented to the government and discussed. When we found out—sometime after two o'clock on Saturday afternoon—about the lockout we sought further advice about the alternatives open to us, and senior ministers discussed that. We were in a position, Senator, if we had chosen, to take that action. But we also knew the hurdles involved in that, and the advice to us was that the preferable action was to use clause 424 as a quicker and more efficient way of resolving the dispute. We followed that advice and—guess what—it worked. The government was successful. You have just got to recognise that, Senator. (Time expired)

Honourable senators interjecting—

The PRESIDENT: Order! The time to debate this is after question time. When there is silence we will proceed.

Interest Rates

Senator CAROL BROWN (Tasmania—Deputy Government Whip in the Senate) (14:36): My question is to the Minister representing the Treasurer, Senator Wong. Can the minister inform the Senate of the outcome of today's Reserve Bank board meeting and what this decision will mean for Australian families?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:36): I am pleased to advise the chamber that a short time ago the Reserve Bank of Australia announced a 25 basis point drop in the cash rate from 4.75 per cent to 4.50 per cent. I can hear already—the only people in Australia who are not pleased about that are those opposite. I do not hear any 'Hear! hear!' from those opposite, just like the only people in Australia who are not pleased that—

Honourable senators interjecting—
The PRESIDENT: Senator Wong, resume your seat. Order! If you want to sit here and scream at each other that is what you can do.

Honourable senators interjecting—

The PRESIDENT: Order! The minister is endeavouring to answer a question. The behaviour on both sides is completely disorderly. The minister is entitled to be heard.

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy! The minister is entitled to be heard in silence.

Senator WONG: Those on this side, and I am sure all Australian families with a mortgage and all small businesses, will welcome this decision. This decision is a win for families with mortgages and every small business on cup day—a win on cup day. What this means is that a family with a $300,000 mortgage will now pay $50 less a month in interest repayments, a saving of $590 a year. We welcome this decision and, unlike those opposite, we are very pleased that the government's ongoing fiscal credibility and ongoing sound fiscal management have ensured that the RBA has had room to move, as it has spoken about on previous occasions.

Those opposite like to trumpet their credentials. It is worth recalling that in November 2007 the standard variable interest rate was 8.57 per cent. At the conclusion of the Howard government the standard variable rate was 8.57 per cent, significantly higher than today. In fact, a family with a $300,000 mortgage are over $2,400 better off than when we came to government. (Time expired)

Senator CAROL BROWN (Tasmania—Deputy Government Whip in the Senate) (14:41): Mr President, I ask a further supplementary question. It is very good news indeed, Minister. How does the government's approach to fiscal strategy support the Reserve Bank—

Honourable senators interjecting—

The PRESIDENT: Senator Carol Brown, please resume your seat. Because of the interjections around, I did not hear any part of that question whatsoever. You are entitled to be heard in silence. Senator Brown.

Senator CAROL BROWN: How does the government's approach to fiscal strategy support the Reserve Bank's approach? What is the government doing to increase productivity and capacity?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:40): A sound fiscal strategy is important to managing the economy in the interests of working families, which is what this Labor government does. It works to manage the economy in the interests of working families. That is why we are engaging in the largest fiscal consolidation in the nation's history. We understand how important it is for government to create space as the economy grows without adding to price pressures. We understand the importance of investing in the capacity of the economy; the $3 billion investments in skills and training in the budget; the investment in infrastructure, including the NBN—all investments in the capacity of the economy. But the reality is that those opposite have no interest in fiscal discipline. They have a $70 billion black hole—(Time expired)

Senator CAROL BROWN (Tasmania—Deputy Government Whip in the Senate) (14:41): Mr President, I ask a further supplementary question. Can the minister inform the Senate what steps the government has taken to promote competitive pressures in the banking sector and increase the likelihood of the reductions in the cash rate
being passed on to consumers? What alternative approaches to the government's approach are there?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:42): I say this very clearly: there is no excuse whatsoever for any bank not to pass on any rate cut to Australian families in full. I would hope that we could actually have a unity ticket on this point from the opposition, but I doubt that we will. We know that it is this government that has introduced reforms to increase competition in the banking sector, with major banks moving to take customers from their competitors through offering a better deal to customers. These are important reforms in which the government has engaged.

But I again return to the issue of fiscal discipline. We know from my counterpart, Mr Robb, that those opposite have a $70 billion black hole. Unless and until the opposition detail to the Australian people how they will fill it, Australians will know that the opposition is quite prepared to put upward pressure on interest rates. (Time expired)

Carbon Pricing

Senator BIRMINGHAM (South Australia) (14:43): My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Can the minister confirm whether the carbon tax liability that will be paid for a plane flying the 1,900 kilometres from Sydney to Noumea will be the same price as that paid for a plane flying the 1,900 kilometres from Sydney to Cairns?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:44): Isn't it amazing? After all the froth and bubble and all the fire and brimstone about the Qantas dispute, we now return to the carbon price. They do not want to ask about interest rates, they do not want to ask about the economy, they do not want to ask about the budget and they do not want to ask about the disputes, the lockouts, that they refused to criticise.

Honourable senators interjecting—

The PRESIDENT: Order! Senator Macdonald, I see you are on your feet. I am not giving anyone the call until there is silence; it is as simple as that.

Senator Ian Macdonald: Mr President, I raise a point of order on the grounds of relevancy. This minister is legend at never even attempting to answer the question, because obviously she cannot. There was a very clear question. She has been in this answer for almost 30 seconds and has not got anywhere near the question that was asked. I ask you to bring her to order and to answer the question for once in her life.

The PRESIDENT: There is no point of order. I cannot tell the minister how to answer the question. The minister has one minute and 35 seconds in which to answer the question.

Senator WONG: I am very happy to talk about Qantas, the aviation sector and the carbon price. I simply make the point that the opposition are seguing off this. Clearly they want to get back to carbon, because they have suddenly worked out that people might ask what they knew about the lockouts.

The PRESIDENT: Senator Wong, you need to come to the question.

Senator WONG: Australian families and workers may ask what they knew about the lockout—

Senator Conroy: The Qantas lockout.

Senator WONG: The Qantas lockout. I should say; there has only been one lockout. What I would say is that, in relation to the aviation sector, the first point is this: Qantas and other airlines will not face any carbon
price on their international operations. I would have thought Senator Birmingham would know that. They will face a carbon price on their domestic operations. I am advised this will have a very moderate impact on ticket prices. Unlike the Leader of the Opposition, who will charge taxpayers some $1,300 a year, which will be given to big polluters, we on this side will put forward tax cuts—tax cuts for Australians and increases to the pension, increases to the disability support pension. That is what we will do.

I would also add—and I will add to this in my next answer—that Qantas and the other airlines approached the government and asked if they could be covered by the carbon price mechanism for their domestic operations rather than manage their carbon liabilities through the fuel tax system. (Time expired)

Senator BIRMINGHAM (South Australia) (14:47): Mr President, I ask a supplementary question. I thank the minister for confirming that airfares within Australia will face a carbon price and those outside will not. Is the estimate by Qantas that they will be paying between $110 million and $115 million in carbon tax related costs during 2012-13 correct? What will the total cost to the Australian domestic aviation industry be? Is it not true that they only asked to be included under the carbon price mechanism after you said you were putting up their fuel prices anyway?

Honourable senators interjecting—

The PRESIDENT: The time for debating this is at the end of question time, not now. I remind both sides of that.

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:48): I am asked about the views of Qantas. Those opposite who like to quote Mr Joyce might like to refer to his comments in March 2011:

> We can understand the logic on the carbon tax and why the government regards it as a necessity we're convinced that all organisations should do whatever they can to reduce emissions.

Interesting, isn't it, Mr President, the way in which those opposite fail to look at what CEOs are saying when CEOs talk about the importance of this economic reform but are very happy to scaremonger to the Australian people, as has been their wont in every aspect of the carbon price debate, rather than look at the facts. I would also quote from John Valastro, Qantas head of environment, on 12 October 2011:

> Putting Australia at the forefront of this emerging industry would, over the long term, help shift our aviation-dependent economy to a lower carbon footprint, create green jobs and drive investment.

(Time expired)

Senator BIRMINGHAM (South Australia) (14:49): Mr President, I ask a further supplementary question. How does the carbon tax impact the competitiveness of a company like Qantas compared to regional carriers like Air Asia, especially when today's RBA statement describes confidence as subdued in the economy? Won't Labor's carbon tax make it more attractive for Australians to use international airlines with international staff travelling to international destinations rather than support Australian airlines with Australian staff, even TWU members, travelling to Australian locations?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:50): Last time I looked, Air Asia does not fly from Adelaide to Canberra. It does fly in Malaysia, where my family is from, and my father has flown it. But Air Asia is an international carrier and, as I said in my first answer, the carbon price will not apply to the international business of Qantas. In relation
to the domestic sector, the carbon price is applied across the board. So in terms of competitiveness there is no change as between Qantas and Virgin.

Once again, we have complete economic illogic from the opposition. What they probably should do today is explain to Australians how much more tax, under them, Australians will pay through the $1,300 on all Australian households for their picking-winner carbon policy or explain what they will cut in services and what they will cut in Medicare for their $70 billion black hole. We wait to hear what they will do. (Time expired)

**Indonesian National Police**

**Senator DI NATALE** (Victoria) (14:51): My question is to the Minister representing the Minister for Home Affairs, Minister Ludwig. In light of the recent actions by the Indonesian police and military in West Papua in response to the peaceful gathering at the Papuan national congress, can you tell the Senate what support the Australian government provides to the Indonesian police force, including the counterterrorism squad known as Detachment 88, along with the nature of such support and the date on which that support commenced?

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:53): Australia shares a strong and productive relationship with Indonesia and it has established a joint framework to address people smuggling. More broadly, AFP support also extends to provision of training to the INP, including Detachment 88 officers. This is provided through the Jakarta Centre for Law Enforcement Cooperation and it incorporates good governance, rule of law, judicial process, human rights and accountability. The principles of human rights are embedded in all of the JCLEC programs, and police accountability is incorporated into scenario based training. That part of the question I will take on notice for the Minister for Home Affairs.
Senator DI NATALE (Victoria) (14:54): Mr President, I ask a further supplementary question. It has been revealed today that Indonesian police are on the payroll of the operators of the Freeport Grasberg gold and copper mine in West Papua. Given the evidence of such naked corruption and the threat of imminent violence against predominantly West Papuan workers exercising a legitimate right to take industrial action, will this Labor government undertake to suspend cooperation with the Indonesian police forces until this corruption and these human rights abuses cease?

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:54): I thank Senator Di Natale for his second supplementary question. I will not take the question as given. I will ask that the Minister for Home Affairs, Mr Brendan O'Connor, provide additional information or take on notice that part of the question which relates to this specific issue and see what further information he can provide.

Senator CHRIS EVANS: Mr President, in order to facilitate Australian cultural observance and with the concurrence of the Senate I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Asylum Seekers

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:56): I ask leave for additional information as to a question asked yesterday by Senator Hanson-Young, in respect of people-smuggling charges and claims that the Indonesian consulate is currently investigating 40 of these cases, to be incorporated in the Hansard. Leave granted.

The answer read as follows—

Questions regarding how many minors are being held in prison in relation to people smuggling charges and claims that the Indonesian Consulate is currently investigating 40 of these cases.

I am advised by the Minister for Home Affairs, based on information provided by the Attorney-General's Department, that Australia does not have any person, found to be a minor by a court, in State or Territory prisons.

I am further advised that no person found to be a minor by a court in Australia has been convicted of a people smuggling offence.

Where age is not able to be clearly established, the person being investigated or prosecuted will be given the benefit of the doubt and returned to their country of origin without charge.

Since September 2008, to date, 76 people have been returned to their country of origin without charges proceeding because they were either found by a court to be a minor; assessed to be a minor following an age determination process; or given the benefit of the doubt by law enforcement authorities and no exceptional circumstances existed to warrant their prosecution.

By way of further background, and although it does not directly relate to the Senator's question, the Attorney-General's Department also advises that as at 17 October, there were around 25 people in either immigration detention or remand facilities charged with people smuggling offences, who claimed (usually via a legal representative) to be minors. Consideration of those claims is at various stages.

This figure does not include seven people in immigration detention who claim to be a minor, but have not yet been charged, or people in the process of being returned without charge because they have been assessed to be minors.

A person who has been charged and claims to be a minor is able to apply to the Court to seek
bail into immigration detention, rather than being held in a remand facility, pending determination by a Court. Where such applications have been made, the Court has been amenable to granting bail into immigration detention.

It would not be appropriate to comment on the work or priorities of Indonesian consular officials.

The Indonesian Embassy and Consulates-General work very closely with Commonwealth, State and Territory officials in carrying out their consular responsibilities.

This includes through regular meetings at the working level between relevant agencies in Canberra and recently through the first formal Consular Consultations at a senior officials level in Perth on 30 June and 1 July 2011.

Australian Federal Police and their Indonesian counterparts are currently engaged in active discussions regarding how to improve the way information is obtained to assist in establishing the age of people smuggling crew and organisers who claim to be minors.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Qantas

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:56): I move:

That the Senate take note of the answers given by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Abetz) and Senators Ronaldson and Brandis today relating to the Qantas dispute.

If ever there was a parable of the incompetence, the inability to act swiftly and decisively, of this government it was seen last Saturday afternoon, and the Australian travelling public, some 80,000 of them in Australia and overseas, were the victims. What we know—and Senator Evans has confirmed this today in answers to questions from Senator Abetz, Senator Ronaldson and me—is that he was told early in the afternoon of last Saturday of the imminent announcement by Qantas that they were going to lock out the workforce and ground the fleet in response to the guerilla industrial action to which they had been subjected to for weeks by the Transport Workers Union and other Qantas unions. And what did they do? They did nothing. Like a deer caught in the headlights, they did nothing. As Senator Evans has told the Senate in the last hour, they then sought advice.

You would think, Mr Deputy President, given all of the indications from Mr Joyce and other senior executives of Qantas for weeks and months on end, that if the industrial dispute that had plagued Qantas were not brought to an end soon Qantas would have to take divisive action. The very least a competent government would have done would have been to have had a contingency plan for what steps it could take under the Fair Work Act to secure the wellbeing of the public. But, as Senator Evans has told the Senate, they did not even have a contingency plan. When the Prime Minister's Chief of Staff, Mr Hubbard, the Minister for Tourism, Mr Ferguson, the minister for transport, Mr Albanese, and Senator Evans were rung by Qantas as a courtesy shortly after 2 pm last Saturday they then sought advice and later that evening, after the grounding of the Qantas fleet had already taken place, after 80,000 people had been inconvenienced, after the nation had been thrown into a transport chaos, late that night they then brought an application before Fair Work Australia under section 424 of the Fair Work Act.

The grounding never had to happen. The lockout could have been avoided and the grounding would have been avoided if the minister had had contingency plans in place, as he ought to have done, to make a declaration under section 431 of the Fair Work Act.
Work Act—his own piece of legislation, the Prime Minister's pride and joy. The minister could have made a declaration then and there—certainly it could have been done within the three hours between the government being informed of what was likely to be coming and Mr Joyce's press conference at 5 pm—prohibiting the industrial action. If that declaration had been made, if the government had acted swiftly and sure-footedly, that would have been it. The industrial action by the unions would have been prohibited, the imminent lockout by Qantas would have been prohibited and the grounding of the aircraft announced by Mr Joyce at 5 pm would not have occurred.

You would think, wouldn't you, Mr Deputy President, that faced with an imminent grave industrial dispute—as grave as any this nation has seen since the last period of Labor government—the government would have been prepared for that contingency. It would have had the section 431 declaration, which would under the terms of the act have taken effect immediately, ready to go. But it did not. As I said before, like a deer caught in the headlights, it then wondered to itself in its collective brain, 'What do we do now? Let's take advice.' If ever there was an industrial dispute that had been foreshadowed and anticipated for weeks if not months, it was this. But, rather than put itself in a position to take immediate action available to it and save the Australian public this pain, expense and inconvenience, the government did nothing.

Senator URQUHART (Tasmania) (15:01): The Australian government is strongly committed to having a vibrant and resilient aviation industry in Australia, recognising the enormous contribution aviation makes to our economic strength as a nation. Yesterday Fair Work Australia granted the government's application to end all industrial action at Qantas. This is a win for the tens of thousands of passengers who were left stranded by Qantas's extraordinary action and for the one million people working in tourism across Australia.

Qantas employs more than 35,000 people, with 90 per cent of those jobs based in Australia. Further, 90 per cent of Qantas's heavy maintenance operations are also carried out in Australia. In the national aviation white paper the government acknowledged the critical need to develop and retain a highly skilled workforce to ensure Australia's aviation sector remains strong into the future. The government is also strongly committed to ensuring that Australian airlines are majority Australian owned and based in Australia. The government strongly supports these provisions being maintained to ensure that Qantas remains an iconic Australian brand.

Yesterday's decision confirms the Fair Work Act is robust and the independent umpire has a critical role to play in the industrial relations framework. As a result of the government's swift action, up until midnight yesterday there had been 137 domestic flights and 33 international flights. This was delivered as a result of Labor's successful Fair Work system, which restored the balance in industrial relations at Australia. Under the old Howard government, unions could take industrial action, bosses could lock workers out and governments could intervene—exactly what we have seen here. This section of the Fair Work Act is substantially similar in its terms to sections in earlier versions of workplace relations legislation. It enables the Fair Work industrial umpire to deal with a dispute that has implications for the national economy. Let's be clear: it was Qantas's extreme action that escalated this dispute. We acted decisively and immediately to terminate the industrial action on both sides. This has got workers back to work and planes back into
the sky. No-one directly involved—not Qantas, not the unions—asked the government to intervene. All parties assured us they were still at the negotiating table as late as Friday.

I would like to point out that this inflammatory language around using section 431 does nothing to help get planes back into the air or the dispute resolved. The fact is that the government was notified only a short time before Qantas decided to shut up shop. Anyway, a termination under section 431 would ultimately have led to arbitration and there would have been a real risk of a challenge in the courts, which would have continued the uncertainty for Qantas, its employees and the travelling public. I repeat: the measures taken by the responsible ministers were appropriate and have seen Qantas planes back in the air within 48 hours.

I have seen reports today that legal experts said the Gillard government made the right call, as making a declaration under section 431 would have left open the risk of a challenge in the courts from the parties. This would have further delayed the resolution of this matter and continued the uncertainty for Qantas, its employees and the travelling public. It would have prolonged the inconvenience for the travelling public and continued the uncertainty for Qantas employees. What the government sought to do was to use the surest way to have the issue resolved by bringing the hearing before the independent umpire, to get all the evidence before an expert full bench who would determine the case. Getting all the parties into Fair Work Australia is the best way to get a resolution to this dispute and give certainty to the Australian public.

It is extraordinary that Qantas made the unilateral decision that they did. The fact is that at no stage did they, as Mr Joyce has confirmed, raise with any government minister their intention to lock out their workforce and therefore lock out their customers and ground the airline. This was an extraordinary decision. The government's concern was to make sure that we acted to get Qantas back in the air to make sure that Australians could travel for business, for family reasons or for holidays, whether it be domestically or overseas. The government's intervention ensured there was a timely response to that issue.

**Senator WILLIAMS** (New South Wales—Nationals Whip in the Senate) (15:06): This action of Qantas over the last few days reminds me very much of the shearers dispute back in 1982. Qantas had six planes grounded. You have lease payments to make on your machinery. You do not lease a Kenworth truck, sit it in a shed all week and expect to have money at the end of the month to pay your lease. Business is no different. They had six planes grounded that could not be serviced because the engineers would not work overtime. As a result of that flights were being postponed, flights were being cancelled and the public were being let down because they did not know whether planes could be relied upon as far as leaving on time and arriving on time goes. Here is a problem running the business. The message is clear: a business has a level of tolerance before they will take further action.

I will take you back to the shearers in 1982. 1982 was a terrible drought through South Australia, Victoria, New South Wales and into Southern Queensland. I remember our ewes were due to start lambing in September. You have got to shear the ewes before they lamb. In August, the shearers went on strike for more money. We were not very happy about it. We just went on shearing away ourselves at home on the quiet, not making too much noise about it...
while others were on strike. In October 1982 they went on strike again. In the meantime graziers were suffering the worst drought in decades. In March 1983 the shearsers went on strike again. The umpire said you could use wide combs and finally the graziers said, 'Enough is enough.' People were dismissed and since those days we have not had one dispute in the shearing industry in Australia. There is a clear message there.

Some of the union thugs have said, 'We will bake Qantas slowly.' If you want to destroy Qantas, you are going about it the right way—leaving their planes on the tarmac unserviced, parked away and unable to be used. A business like Qantas has to compete in the world market, where we have pilots from Thai Airways paid a lot less than Qantas pilots and we have Etihad and Emirates probably buying their fuel at one-tenth of the price Qantas has to pay for theirs. Mr Deputy President, as you know, I often say life is about fairness. I have been a shearer and a truck driver. I have also been a farmer and an employer. I have been on both sides of the fence. You must treat your workers properly, but the point is: when you start grounding airlines so they cannot earn any money and are cancelling flights and delaying flights, what can they do? Surely the government knew what was happening. Mr Alan Joyce from Qantas had made it quite clear in several meetings. But, no, the unions were going to bake Qantas slowly. What a terrible thing to say: we will bake an Australian icon, the flying kangaroo, slowly.

I have seen some of the wages. The pilots are on $350,000 to $500,000 a year. That is good money, but it should be good money because they have such an important job to do looking after the safety of hundreds on board. We know that Qantas have the best pilots and the best record of any airline in the world. But the bottom line is that they have been losing hundreds of millions of dollars on their international flights. What is going to happen? Will they sell that side off and become a domestic airline? Will Australia lose its international airline? We do not want that to happen. Once the Labor Party privatised Qantas and sold it off, it had to make a profit. If they continue to make a loss, the business fails and everyone loses their jobs.

The engineers get paid very well on the figures I have seen—some $145,000 a year. They have a vital job to see that those machines are serviced well so that they are reliable and safe. They do it well. But the bottom line is that, when the unions say, 'We are going to bake Qantas slowly,' that is when the management says, 'Enough is enough. We have got enough planes sitting idle that cannot be serviced. We are delaying enough flights. We are losing our reputation of being a reliable carrier.' That is when they had to act. The point is the government did nothing. They did not read the tea leaves. They did not know what was going on. They could have acted. They could have prevented it. The inconvenience caused to the tens of thousands of Australians and overseas visitors who were left in limbo, with nowhere to go and not knowing what to do, could have been prevented. Will the government ever take on the union movement? Never, because the union movement finances their campaigns.

Senator THISTLETHWAITE (New South Wales) (15:11): I was somewhat puzzled when Senator Williams began his speech with a reference to the wide comb dispute of the 1980s and I thought to myself, 'What is the relevance to this debate today?' Then it struck me; it hit me like a bolt of lightning. Senator Williams is doing what those opposite in the Liberal Party and their leader have been doing for the last couple of days—using this Qantas dispute to divert attention from the fact that the Liberal-
National coalition do not have a policy when it comes to industrial relations. They do not have a policy on workplace relations in this country. They do not know whether they are going to include individual contracts as part of their statutory scheme. In fact, many of those opposite believe that individual contracts should be a part of the industrial relations regime. Jamie Briggs and Kelly O'Dwyer have let the cat out of the bag on several occasions.

Senator Nash: On a point of order, Mr Deputy President: the senator should be using the correct titles for his colleagues.

The DEPUTY PRESIDENT: Thank you, Senator Nash. I remind all senators to address members in the other house by their correct titles.

Senator THISTLETHWAITE: I will, Mr Deputy President. They have spilled the beans on several occasions. On several occasions they have said that individual contracts should be a part of the Liberal-National coalition policy on industrial relations. Yet we have not had an announcement. We do not know what their approach is going to be to this very important economic issue. The reality is that this debate is not about whether section 431 or 424 of the act should have been used in these circumstances—are really irrelevant. The fact is that those provisions have been a part of industrial legislation at a national level in this country since 1993. They were introduced as part of the Brereton reforms in the Industrial Relations Reform Act 1993. During the whole period of the Workplace Relations Act and Work Choices under the Howard government, these provisions were available to be used, and there were several disputes where there was potential harm to the national interest and potential damage to the economy. How many times during that period did the minister for workplace relations under the Howard government use section 431 to make a ministerial declaration? A big, fat zero—never! The provision has never been used, yet those opposite come in here—the ultimate height of hypocrisy—and seek to criticise us for not using the provision.

When we were informed by Qantas of their ambush on the Australian flying public and the international public, we acted quickly, we acted decisively and we acted appropriately. We sought advice and got an urgent hearing with Fair Work Australia—we got a hearing on a Saturday. And what do

Abbott said of the dispute that "it is not a policy problem, it is a competency problem". These comments are obviously inaccurate … Tony only said that because, as everyone knows, the Abbott Coalition no longer has a policy on industrial relations.

They are the comments of the former Howard government minister for workplace relations. He realises that the coalition do not have a policy on industrial relations and the Australian public and the media are quickly beginning to realise that those opposite do not have a policy when it comes to industrial relations. The provisions that have been discussed in respect of this dispute—whether section 424 or section 431 of the act should have been used in these circumstances—are really irrelevant. The fact is that those provisions have been a part of industrial relations at a national level in this country since 1993. They were introduced as part of the Brereton reforms in the Industrial Relations Reform Act 1993. During the whole period of the Workplace Relations Act and Work Choices under the Howard government, these provisions were available to be used, and there were several disputes where there was potential harm to the national interest and potential damage to the economy. How many times during that period did the minister for workplace relations under the Howard government use section 431 to make a ministerial declaration? A big, fat zero—never! The provision has never been used, yet those opposite come in here—the ultimate height of hypocrisy—and seek to criticise us for not using the provision.

When we were informed by Qantas of their ambush on the Australian flying public and the international public, we acted quickly, we acted decisively and we acted appropriately. We sought advice and got an urgent hearing with Fair Work Australia—we got a hearing on a Saturday. And what do
you know? They heard the application and they acted appropriately—they terminated the bargaining period. The act worked. I finish with Peter Reith's quote:

I shuddered when I realised that senior Liberals including Tony Abbott were publicly encouraging PM Gillard to intervene …

They are the comments of Peter Reith, the former workplace relations minister. He got it right and the government got it right.

The DEPUTY PRESIDENT: Order! Before I call Senator Nash, for those who have been diligent in following the chamber, Dunaden is the winner of the Melbourne Cup.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate) (15:17): Thank you, Mr Deputy President, for that advice to the chamber. Just when you think there cannot possibly be another issue that this Labor government can stuff up, here we have it—yet another stuff-up by the Australian Labor Party and the Labor government. Can you believe it? We think that maybe one day this government will show that they can govern in a mature, sensible and thoughtful way.

Senator Brandis: I don't think anybody thinks that!

Senator NASH: Thank you, Senator Brandis, I will take that interjection. He has informed the chamber that he does not think anybody thinks that, and he is probably right. But we do hold out hope that maybe one day the 20-something million people around this country can see this Labor government make a sensible, practical decision with a correct outcome—something that is not a stuff-up. But no, here we have another one. We have had this debacle of an issue with the Minister for Infrastructure and Transport being told of the announcement by Qantas that there would be a lockout of the workforce and a grounding of the fleet. That is pretty clear. I think even this minister could understand what he was being told at that point about what was impending and what was going to happen. But what did the government do? What did the minister do? What did the Prime Minister do? Absolutely nothing. It is simply beyond them; they are incapable of properly running the country. They are simply incapable of doing it. On the weekend we saw yet again exactly the same issue happening with yet another stuff-up.

There was no contingency plan. The government did not seek any advice until late in the piece. The senator speaking before me was railing about how it all went off to Fair Work Australia. He did not point out the fact that that happened way down the track. It was the wrong course of action to take. I will tell my colleagues why it was the wrong course of action to take: just in the last 20 minutes or so Qantas has confirmed that it:

… would not have grounded its fleet if the federal government had used the Fair Work Act to invoke ministerial powers …

This is exactly what the shadow minister, Senator Abetz, the New South Wales minister and the Victorian minister had all been asking for. We now have it confirmed that Qantas would not have grounded the fleet if the government had indeed taken the action that the coalition was asking them to take all along. I quote:

Asked if the fleet would have been grounded if the government had used section 431 of the act, a Qantas spokesman said: 'No. If a declaration had been made under section 431 of the Fair Work Act, Qantas would have been prevented from issuing a lockout notice to these employees covered by the three unions' …

What we have here is 48 hours of mayhem and 80,000 people whose travel was disrupted and who were put to great pains because of the inaction of this government. This could all have been avoided, every single bit of it. For this government to say
today that it has acted appropriately is absolute rubbish. This is a government that has a complete inability to govern. We only have to look at things like pink batts, the BER debacle, the cash-for-clunkers scheme, GroceryWatch, Fuelwatch, the citizens' assembly that never happened, the inability of the government to protect the borders and the absolute stupidity of this government's bringing in a carbon tax. Why should we be the slightest bit surprised that when the issue arose with Qantas it would again stuff it up? No surprises there—it is simply unable to govern.

It is interesting that the Prime Minister, who said during this whole issue that the last thing she was going to do was pick sides and that she was not going to involve herself in making statements about either side of the dispute, labelled Qantas's actions as extreme but did not admonish the unions for their debilitating campaign. This government does not have a clue. It is like having the country run by a bunch of kindergarteners—and that is not being very kind to kindergarteners, whom I actually hold in very high regard. This absolute disaster of a situation could have been avoided and the government knows it.

Question agreed to.

Forestry

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (15:22): I move:

That the Senate take note of the answer given by the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) to a question without notice asked by Senator Milne today relating to the Tasmanian Forests Intergovernmental Agreement.

I note that clause 25 of the intergovernmental agreement says:

The State will immediately place the 430,000 hectares of native forest identified in Attachment A … into Informal Reserves.

That is: immediately into informal reserves. Clause 26 goes on to say:

The State will ensure that, until the further independent verification process required under Clause 20 is completed, wood supply required under Clause 17 will be sourced from outside the 572,000 hectares of ENGO-nominated High Conservation Value forest area unless the remaining State Forest area is insufficient to meet the contractually specified quality and quantity of wood supply. Where this is the case, the Tasmanian Government will ensure that wood supplies are sourced outside the 430,000 hectares placed in Informal Reserves.

That is: outside the 430,000 hectares. This is a critical matter, because when this intergovernmental agreement was announced my colleague Senator Bob Brown and I stood up and said, 'Not one hectare is protected under this agreement.' The Prime Minister came out with the Premier of Tasmania and said: 'That is wrong. The 430,000 hectares are protected.' Well, they are not. Those 430,000 hectares are not in informal reserves and are being logged as I stand here and speak.

A further clause, 27, said that if any of those areas inside the 430,000 hectares were required then compensation would be payable, not that they would be logged. I got the distinct impression from the minister, who in answering the question today avoided any mention of clause 25, even though I asked about it three times, that there is negotiation going on between the state and federal governments to give over to logging, permanently, some of the 430,000 hectares that have been reserved, and that clause 27 has not been invoked. Clause 27 says clearly: compensate them; do not keep logging going in the 430,000 hectares.
Today the minister avoided that deliberately in answering those three separate questions. The question now is: why is the federal government not getting onto Tasmania to stop the agreement being breached? Clauses 25, 26 and 27 are very clear, yet Tasmania is defying them. When the Tasmanian government is asked, it wrings its hands and says: 'We can't control Forestry Tasmania. They're in there doing it and we can't control them.' Forestry Tasmania are just a government business enterprise. They can be controlled. They are so far in debt that they have had to get a third letter of comfort from the Premier of Tasmania to continue to operate. If they were a private business they would be in receivership and under administration right now because they have so badly mismanaged Tasmania's forests over such a long period of time. The government is quite happy to give them a letter of comfort to allow them to keep operating but wrings its hands and says it cannot stop a rogue organisation from continuing to log within the 430,000 hectares which the Prime Minister put her signature to an agreement to say would be in informal reserves and—clause 26—would not be logged.

I am very frustrated that the government is not forcing the Tasmanian government to do its bit. All we have seen is federal money being handed over to the logging industry to keep on logging. We have had plenty of money freed up to give to the logging industry, but the quid pro quo, the protection of areas in permanent reserves, is not happening. We are seeing ongoing logging, which defies the very thing that the Prime Minister and the Premier said would occur when the intergovernmental agreement was announced.

This was a process that the loggers asked the conservation movement to engage in. If they had not come to us and started this process they would all be completely broke now. It is Commonwealth money that is propping them up, in absolute defiance of the conservation outcomes that were supposed to come out of this agreement. If anyone thinks this is going to generate peace in the forests, they will be wrong until the Commonwealth actually requires Tasmania to adhere to the agreement and to stop breaching it on a daily basis.

Question agreed to.

NOTICES
Presentation

Senator BOYCE:
Senator IAN MACDONALD: to move:
That the Senate—

(a) acknowledges the scale of the tuberculosis threat to Papua New Guinea and the mortality, morbidity and economic and social costs and the risk to Australia if this threat is not managed;

(b) notes that since 1991, the Torres Strait Islands Treaty has included Commonwealth compensation for the impacts of the care of Papua New Guinea nationals on the Queensland health system;

(c) condemns both the Federal and Queensland Governments for indicating they will terminate the tuberculosis clinics on Saibai and Boigu Islands which currently provide vital tuberculosis surveillance and clinical care for Papua New Guinea nationals and reduce the risk of the emergence of drug resistant strains of tuberculosis;

(d) calls on the Federal Government, through the Australian Agency for International Development [AusAID], to immediately provide long-term funding to clinics to protect Torres Strait Islander Australians; and

(e) calls on the Minister for Health and Ageing (Ms Roxon) to consult with frontline public health experts to formulate a long-term strategy which ensures that Papua New Guinea programs and Torres Strait Islands clinics deliver a combination of disease surveillance and
tuberculosis care for Papua New Guineans and Torres Strait Islander Australians.

Senator BERNARDI:

Senator MADIGAN: to move:

That the Senate notes that:

(a) 24 October 2011 was the 55th anniversary of the Soviet invasion of Hungary, during which 20,000 Hungarians were killed, while 200,000 fled as refugees; and

(b) the installed Hungarian communist leader, Mr Janos Kadar, oversaw the imprisonment of 21,600, internment of 13,000 and execution of 400 democrats, liberals and reformist communists, and the misguided support of the Soviet occupation of Hungary by the Communist Party of Australia, and the successor, Socialist Party of Australia which, through its journal *Survey*, hailed comments by Mr Kadar that 'in the building of socialism Hungary relies, in the first place, on the many-faceted cooperation with the Soviet Union'.

Senator MADIGAN: to move:

That in light of the possible passage of the Clean Energy bills through the Senate and the acknowledgement of the fact that the Latrobe Valley region will be hit hardest by the introduction of a carbon tax, the Senate calls on the Government to acknowledge these concerns and place the Latrobe Valley on the priority list to receive access to the Government's national broadband network services as a matter of urgency.

Senator MADIGAN: to move:

That, in light of the possible passage of the Clean Energy bills through the Senate and the acknowledgement of the fact that the Latrobe Valley region will be hit hardest by the introduction of a carbon tax, the Senate:

(a) recognises that privatisation of the State Electricity Commission of Victoria (SECV) by the Kennett Government has been a failure with little or no investment in new technologies by the private sector which is now threatening Victoria's power supply; and

(b) calls on the Federal Government:

(i) to lead the way to a new clean energy industry in the Latrobe Valley by working with the Victorian Government in the recommissioning of the SECV, and

(ii) to work with the State Government of Victoria to help build a new Coal-Gasified power station at Driffield as the first step in the creation of a clean power industry in Victoria and help build a future for the district and secure under public ownership a reliable clean power industry in that state.

Senator BOB BROWN: to move:

That the Senate—

(a) notes the recent survey by the Australian Bureau of Statistics which showed that the gap between rich and poor is widening in Australia;

(b) understands why growing inequality along with corporate greed are motivating the 'Occupy' protest movements;

(c) notes that, in the United States of America, billionaire Warren Buffett has observed that he pays a smaller proportion of his income in tax than do the other people in his office; and

(d) calls for a 50 per cent marginal tax rate on incomes of more than $1 million per annum.

Senator BILYK: to move:

That the Joint Select Committee on Cyber Safety be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 23 November 2011, from 4 pm to 6 pm.

Senator FISHER: to move:

That the time for the presentation of the report of the Environment and Communications References Committee on communication networks' and emergency warning systems' capacities in emergencies and natural disasters be extended to 23 November 2011.

Senator SINGH: to move:

That the Joint Standing Committee on Migration be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 23 November 2011, from 10.30 am to 12.30 pm.
Senator CROSSIN: to move:
That the Joint Select Committee on Gambling Reform be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 29 November 2011, from 4 pm.

Senator SIEWERT: to move:
That the Community Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 3 November 2011, from 5 pm.

Senator RHIANNON:
Senator CASH:
Senator MOORE: to move:
That the Senate—
(a) congratulates Anglicord – Anglican Overseas Aid on the launch of the Women Die Waiting campaign to highlight that breast cancer is one of the major causes of death for women in the Gaza Strip; and
(b) calls on all members of the Senate to support the Women Die Waiting campaign in their efforts to promote their cause and raise enough funds to provide 2 000 women in the Gaza Strip access to breast cancer screening every year.

Senator LUDLAM: to move:
That the Senate—
(a) notes that the High Court in London will bring down its decision on Wednesday, 2 November 2011 regarding Sweden's request to extradite Mr Julian Assange; and
(b) calls on the Government to ensure that:
(i) the consular and legal rights of all Australian citizens overseas are fully protected, and
(ii) if extradited to Sweden for questioning, Mr Assange not be subject to further extradition from Sweden to the United States of America under a bilateral agreement to which Australia is not party.

Senator SIEWERT: to move:
That the Senate—
(a) acknowledges the concern of many members of the Australian public who have signed the National Sorry Day Committee petition calling for improvements to the new national history curriculum;
(b) affirms the importance of properly acknowledging the past treatment of Aboriginal and Torres Strait Islander peoples in our school curriculum; and
(c) supports the inclusion:
(i) of National Sorry Day and the history of forcible removal of Aboriginal and Torres Strait Islander children as a mandated and distinct component of the new national curriculum, to be covered at different stages throughout primary and secondary school, and
(ii) of Aboriginal and Torres Strait Islander perspectives throughout the history component of the new national curriculum for Australian schools, starting in early primary school.

Senator SIEWERT:
Senator MOORE:
Senator RHIANNON:
Senator WATERS: to move:
That the Senate—
(a) notes that:
(i) 2011 is the 40th anniversary of the appointment of Australia's first Aboriginal senator, Mr Neville Bonner, who served as a senator for the state of Queensland from 1971 to 1983, and
(ii) it is also the 50th anniversary of the establishment of South Tweed Heads reserve, which is both the site of Senator Bonner's birth and a sacred site to the Minjungbal people; and
(b) acknowledges:
(i) the vital role of Senator Bonner, as the first Aboriginal member of Federal Parliament, in providing a voice to Aboriginal people and bridging the gap between Aboriginal and non-Aboriginal Australians, and...
the important work of Ms Margaret Kay, who in 1961 led the efforts to preserve the historic site of South Tweed Heads at a time when the conservation of places of Aboriginal cultural heritage was rare.

Senator RHIANNON: to move:
That there be laid on the table by 21 November 2011 by the Minister for Finance and Deregulation all documents relating to the implementation of the Australian and New Zealand Government Sustainable Procurement Framework from January 2007 until present.

Senator LUDWIG: to move:
(1) That estimates hearings by legislation committees for 2012 be scheduled as follows:

2011-12 additional estimates:
Monday, 13 February and Tuesday, 14 February (Group A)
Wednesday, 15 February and Thursday, 16 February (Group B).

2012-13 Budget estimates:
Monday, 21 May to Thursday, 24 May, and, if required, Friday, 25 May (Group A)
Monday, 28 May to Thursday, 31 May, and, if required, Friday, 1 June (Group B)
Monday, 15 October and Tuesday, 16 October (supplementary hearings—Group A)
Wednesday, 17 October and Thursday, 18 October (supplementary hearings—Group B).

(2) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.

(3) That committees meet in the following groups:

Group A:
Environment and Communications
Finance and Public Administration
Legal and Constitutional Affairs
Rural Affairs and Transport

Group B:
Community Affairs
Economics
Education, Employment and Workplace Relations
Foreign Affairs, Defence and Trade.

(4) That the committees report to the Senate on the following dates:
(a) Tuesday, 20 March 2012 in respect of the 2011-12 additional estimates; and
(b) Tuesday, 26 June 2012 in respect of the 2012-13 Budget estimates.

Senator MILNE:
Senator BOB BROWN: to move:
That the Senate—
(a) notes:
(i) clauses 25 and 27 of the Tasmanian Forests Intergovernmental Agreement between the Commonwealth of Australia and the State of Tasmania (IGA), signed by Prime Minister Gillard, and
(ii) that current logging and proposed logging in the 430 000 hectares of high conservation forests proposed for protection breaches these clauses of the IGA; and
(b) calls on the Government to immediately honour the IGA.

BUSINESS
Leave of Absence
Senator McEWEN: by leave—I move:
That leave of absence be granted to Senator Furner for 2 November 2011, for personal reasons.

Question agreed to.

COMMITTEES
Economics References Committee
Reporting Date
Senator KROGER: by leave—At the request of Senator Bushby, I move:
That the time for the presentation of the report of the Economics References Committee on the impacts of supermarket price decisions on the dairy industry be extended to 3 November 2011.

Question agreed to.
NOTICES

Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Economics References Committee, postponed till 22 November 2011.

General business notice of motion no. 227 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the introduction of the Protecting Children from Junk Food Advertising (Broadcasting and Telecommunications Amendment) Bill 2011, postponed till 21 November 2011.

General business notice of motion no. 438 standing in the name of Senator Siewert for today, relating to the North West Slope Trawl Fishery, postponed till 3 November 2011.

General business notice of motion no. 442 standing in the name of Senator Siewert for today, proposing the introduction of the Fisheries Management Amendment (North West Slope Fishery Partial Closure) Bill 2011, postponed till 3 November 2011.

BUSINESS

Consideration of Legislation

Senator LUDWIG: At the request of Senator Arbib, I move:

That, on Thursday, 3 November 2011, the consideration of general business orders of the day for the consideration of private senators' bills shall not be proceeded with and the routine of business be government business only.

Question agreed to.

Days and Hours of Meeting

Senator LUDWIG: At the request of Senator Arbib, I move:

That the days of meeting of the Senate for 2012 be as follows:

Autumn sittings:
Tuesday, 6 February to Thursday, 9 February
Monday, 27 February to Thursday, 1 March
Tuesday, 13 March to Thursday, 15 March
Monday, 19 March to Thursday, 22 March

Budget sittings:
Tuesday, 8 May to Thursday, 10 May

Winter sittings:
Monday, 18 June to Thursday, 21 June
Monday, 25 June to Thursday, 28 June

Spring sittings:
Tuesday, 14 August to Thursday, 16 August
Monday, 20 August to Thursday, 23 August
Monday, 10 September to Thursday, 13 September
Monday, 17 September to Thursday, 20 September
Tuesday, 9 October to Thursday, 11 October
Monday, 29 October to Thursday, 1 November
Monday, 19 November to Thursday, 22 November
Monday, 26 November to Thursday, 29 November.


The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator FIFIELD: This proposed sitting schedule by the government could be described, to put it kindly, as feeble. This government is sitting less, on average, than any other government in an election year in the last 20 years. There are 366 days next year; it is a leap year, so there is a bit of a bonus there. There are 104 weekend days, 10 public
holidays and 252 working days next year. The government is proposing that the House sit for only 63 of those days and the Senate for 55 days. If we are generous and add in estimates days as well—another 16 days—that takes the Senate to a total of 71 days.

There are a couple of pretty straightforward reasons that the parliament will sit relatively infrequently, as proposed by the government. The first is that this government does not have a concrete, serious agenda. If you do not have a serious agenda you do not need to have the parliament sit. I think that is part of the rationale. The other—perhaps even more significant—rationale is that every single day this parliament sits represents a potential opportunity for a challenge to Prime Minister Gillard. So I do not think she is particularly keen on maximising the number of sitting days lest that opportunity present to her colleagues. Each sitting week is indeed a great temptation.

The coalition, in office, will certainly sit more days than this government is proposing, because we have a full agenda. The first item on that agenda is to repeal the carbon tax legislation should it pass through this Senate. That will be item of business No. 1, followed hot on the heels by repealing any mining tax legislation. We will have a full agenda, in contrast to this government. (Time expired)

Question agreed to.

MOTIONS

Bombing of Darwin

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (15:33): At the request of Senator Scullion, I move:

That the Senate—

(a) acknowledges 19 February 1942 as the day Darwin was bombed and marks the first time Australia was militarily attacked by enemy forces;

(b) reflects on the significant loss of life of Australian defence personnel and civilians during the attacks and casualties of the bombings;

(c) recognises that the attack remained a secret for many years and that, even today, many Australians are unaware of the bombing of Darwin and the significant damage and loss of life which resulted; and

(d) calls for 19 February each year to be gazetted as 'Bombing of Darwin Day' and be named a day of national significance by the Governor-General.

Question agreed to.

COMMITTEES

Cyber-Safety Committee

Meeting

Senator McEWEN: At the request of Senator Bilyk, I move:

That the Joint Select Committee on Cyber Safety be authorised to meet during the sitting of the Senate on Wednesday, 2 November 2011, from 4 pm to 6 pm, for a private briefing.

Question agreed to.

Rural Affairs and Transport References Committee

Reporting Date

Senator KROGER: At the request of Senator Heffernan, I move:

That the time for the presentation of the report of the Rural Affairs and Transport References Committee on the operational issues in export grain networks be extended to the last sitting day in March 2012.

Question agreed to.

BILLS

Public Accounts and Audit Committee Amendment (Ombudsman) Bill 2011

First Reading

Senator BOB BROWN: I move:

That the following bill be introduced: A Bill for an Act to amend the Public Accounts and
Audit Committee Act 1951, and for related purposes.

Question agreed to.

Senator BOB BROWN: 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 BOB BROWN (Tasmania—Leader of the Australian Greens) (15:36): I move:
That this bill be now read a second time.

I seek leave to table an explanatory memorandum which relates to the bill.

Leave granted.

Senator BOB BROWN: I table the explanatory memorandum and seek leave to have the second reading speech incorporated into Hansard.

Leave granted.

The speech read as follows—

The Commonwealth Ombudsman plays an essential role in providing independent oversight and safeguards for the community in its dealings with Australian government agencies.

Nearly 38,000 approaches and complaints were received by the office of the Commonwealth Ombudsman for assistance during 2009-10. A recent statement by the former Commonwealth Ombudsman, Allan Asher, cited more than 2,137 'approaches and complaints about immigration matters, a 34 per cent increase on the previous year'. This sheer volume of work directed to the Commonwealth Ombudsman's office, and its capacity to adequately deliver quality complaint-handling services, without the oversight of a parliamentary committee, recently came to light during the Senate estimates process.

Events which resulted in the unfortunate resignation of the Commonwealth Ombudsman, Allan Asher, highlighted the necessity to provide the Commonwealth Ombudsman with the same access as the Auditor-General to committee oversight to ensure that future holders of that office can overcome the roadblock on reporting back to parliament on performance.

Reform of the Commonwealth Ombudsman is not a new concept. In 2005, International ombudsman consultant and former Deputy Commonwealth Ombudsman John Wood stressed the need for Australia to follow other 'comparable democracies such as New Zealand, Thailand and the United Kingdom and make the Ombudsman a statutory officer reporting to Parliament, like the Auditor-General. The budget of the Ombudsman's office should be approved by an oversight committee of the Parliament'. Former Commonwealth ombudsman, Philippa Smith, also backed this reform, calling for a parliamentary committee to recommend the appropriate funding for the office.

The Public Accounts and Audit Committee Amendment (Ombudsman) Bill 2011 expands the opportunities for scrutiny and examination of the Ombudsman's reports and work. The Ombudsman Act 1976 provides the Ombudsman power to, from time to time; submit reports to the minister for presentation to the parliament. In order to enhance considerations of the Ombudsman's operations and performance this bill provides an additional avenue for both the Ombudsman and the parliament to put information in the public domain for consideration and scrutiny.

This bill would enable the Joint Parliamentary Committee of Public Accounts and Audit to consider the operations and resources of the Ombudsman, including funding and staff numbers. The bill grants the Ombudsman powers similar to those currently possessed by the Auditor-General and goes towards establishing a system similar to that currently operating in both New South Wales and New Zealand.

Although this bill does not go far as to make the Ombudsman an officer of the parliament, as many have suggested, it does provide the Commonwealth Ombudsman with an avenue to engage with the parliament, and raise concerns, on a regular basis. However, if there was support to broaden the scope of the Ombudsman's powers,
then the Greens would be open to discuss how this could be achieved.

I commend this bill to the Senate.

Senator BOB BROWN: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Environment Protection and Biodiversity Conservation Amendment (Protecting Australia’s Water Resources) Bill 2011

First Reading

Senator WATERS: I move:

That the following bill be introduced: A bill for an act to amend the Environment Protection and Biodiversity Conservation Act 1999, and for related purposes.

Question agreed to.

Senator WATERS: 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 WATERS (Queensland) (15:37):

I move:

That this bill be now read a second time.

I seek leave to table an explanatory memorandum in relation to the bill.

Leave granted.

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

Leave granted.

The speech read as follows—

The Environment Protection and Biodiversity Conservation Amendment (Protecting Australia’s Water Resources) Bill 2011 adds a new matter of national environmental significance to our national environmental laws - mining operations that have, will have or are likely to have a significant impact on the quality, structural integrity or hydraulic balance of a water resource. In short, it adds a ‘water trigger’ for all mining activities to the Environment Protection and Biodiversity Conservation Act (EPBC Act).

If passed the Bill would mean that federal assessment and approval would be required for mining operations likely to have a significant impact on Australia’s water resources. That is, a person would need to seek federal approval for mining operations (including exploration and production of minerals, coal, petroleum and gas including coal seam gas, and any supporting activities) where those operations would be likely to have a significant impact on the water quality, structural integrity or hydraulic balance of a water resource - being surface and groundwater as well as the recharge areas for those water bodies.

This would give the federal Environment Minister the power to refuse or condition mining activities where they would have a significant impact on our national water resources - so crucial for our farmland and environment.

Water is the most valuable resource our country has, and yet our scarce surface and ancient groundwater systems are under threat from significant and potentially irreversible impacts from the rash of mining operations expanding across all our states and territories. Inappropriate mining operations risk our environment, our food security, the viability of diverse agricultural activities, and the sustainability of the groundwater systems themselves – nationally important resources that do not respect state borders.

The Australian Greens believe that the federal government should have a regulatory role in protecting our important national assets of groundwater and food security from coal seam gas and other mining activities. The federal government appears to prefer to leave coal seam gas regulation up to the states. But that’s simply not good enough - federal protection is needed as the states are clearly failing to adequately protect our water resources.

Coal seam gas is subject to particular national concern and close public scrutiny due to its rampant expansion, and because it is risky. It’s
not proven that coal seam gas can co-exist with agriculture. Numerous experts and scientific bodies including the National Water Commission and the CSIRO have acknowledged that there are significant information gaps about the long-term impacts of coal seam gas on our underground water resources. Without detailed understanding of the connections between underground aquifers in the Great Artesian Basin, coal seam gas activities risk a drop in the groundwater table from dewatering of coal seams to allow gas extraction, contamination of aquifers with hydraulic fracturing fluid or cross-contamination of naturally occurring toxins from coal seams into our groundwater systems.

It’s time the federal government took its share of responsibility for managing the water impacts of coal seam gas and the flow-on effects those water impacts could have on our environment, our food security and our rural communities.

Adding a water trigger to our environmental laws to ensure that coal seam gas and other mining operations are properly regulated federally was a 2010 election commitment by the Australian Greens, and community concern and demand for this has only grown since then.

The rapid expansion of the mining and coal seam gas industries is having massive impacts on our precious groundwater resources, and community concern has reached high level. It is time that the federal government had the power to protect important national assets of groundwater and food security when considering coal seam gas and other mining applications.

I note that the Senate Inquiry into the impacts of coal seam gas in the Murray Darling Basin isn’t due to report back until the last sitting day of 2011, meaning a government response to its recommendations is not likely before February 2012, and quite possibly may take a lot longer. The urgency of this issue, both environmentally and in terms of community concern, demands rapid and robust action, so the Greens are introducing this important bill now.

I note that the Independent member for New England, Mr Tony Windsor, introduced a similar Bill in the House of Representatives on 12 September 2011, the Environment Protection and Biodiversity Conservation Amendment (Mining, Petroleum and Water Resources) Bill 2011. The Australian Greens support and have adopted the parts of that Bill which give the federal Environment Minister the power to assess and refuse, approve or condition mining operations which will impact on water resources. However we have grave concerns with the parts of Mr Windsor’s Bill which allow the federal minister to delegate straight back to the states the power to assess and approve mining operations which impact on water resources. State governments have already demonstrated significant shortfalls in adequately dealing with this issue to date.

Currently much of the assessment processes for other federally regulated activities are conducted by the states under “assessment bilateral agreements” between the states and the Commonwealth, but never before has there been a delegation of the final decision-making power to the states (an "approvals bilateral agreement") and Mr Windsor’s Bill would be tantamount to fast tracking such an approvals bilateral. The Greens’ Bill does not allow the Federal Minister to delegate his decision-making powers to the States - the final approval/refusal/conditioning decision will remain with the Commonwealth, ensuring that this crucial national issue is nationally regulated. For consistency with the other matters of national environmental significance regulated by the EPBC Act, the Greens’ Bill does not alter the provisions of the EPBC Act which make it possible in future for assessment of impacts on water resources to be incorporated into bilateral assessment arrangements with a state or territory.

This Environment Protection and Biodiversity Conservation Amendment (Protecting Australia’s Water Resources) Bill 2011 complements my Landholders’ Right to Refuse (Coal Seam Gas) Bill 2011 introduced on 24 August 2011, which is designed to provide Australian landholders with the right to refuse coal seam gas mining activities on food producing land without prior written authorisation, to protect the 4% of Australia’s good quality agricultural land from inconsistent land uses and stop the mining industry continuing to ride rough-shod over Australian farmers.

The Greens also stand with the 68 percent of Australians surveyed in August 2011 who support...
a moratorium on coal seam gas until the long-
term health and environmental impacts are
known. We need better scientific understanding
of the impacts on groundwater, food security,
rural communities, threatened species, the climate
and the Great Barrier Reef.

This Bill is what the community wants and
what the environment needs. I commend the Bill
to the Senate.

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

Leave granted; debate adjourned.

MOTIONS

Global Population

Senator BOB BROWN (Tasmania—
Leader of the Australian Greens) (15:38): I
seek leave to amend, in the terms circulated,
general business notice of motion No. 505
standing in my name and to add the name of
Senator Waters to the motion.

Leave granted.

Senator BOB BROWN: I, and also on
behalf of Senator Waters, move the motion
as amended:

That the Senate—

(a) notes the estimation by the United Nations
(UN) that the global population, which was some
two billion people in 1927, and some three billion
in 1959, has now surpassed seven billion people,
and may, later this century, build to nine or 10
billion people; and

(b) accepts responsibility for debating this
historic and challenging issue and the need for
Australia, also estimated by the UN to be the
world’s wealthiest nation in terms of natural
resources per capita, to take a lead role in
devising how the planet may accommodate a
greater population, using greater resources per
capita, within the planetary boundaries.

Question agreed to.
(v) the development of a weaker legal norm with this protocol sets a dangerous precedent for avoiding existing legal obligations, and

(vi) support for this protocol could potentially breach the obligations of a state party to the CCM; and

(b) calls on the Government to:

(i) recognise that the CCM is the reference for the prohibition of such weapons, and

(ii) undertake not to support this protocol or any other instrument that weakens the CCM.

Question put.

The Senate divided. [15:44]

(The Deputy President—Senator Parry)

Ayes...............10
Noes...............37
Majority...........27

AYES
Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

NOES
Abetz, E
Back, CJ
Bishop, TM
Cameron, DN
Colbeck, R
Crossin, P
Fifield, MP
Gallacher, AM
Ludwig, JW
Macdonald, ID
Marshall, GM
McKenzie, B
Moore, CM
Parry, S
Polley, H
Singh, LM
Stephens, U
Thistlethwaite, M
Williams, JR

Question negatived.

West Papua

Senator DI NATALE (Victoria) (15:46): I move:

That the Senate—

(a) notes that:

(i) in the week beginning 16 October 2011 the West Papuan people held their third Papuan National Congress in Jayapura,

(ii) the congress was a peaceful gathering of thousands of delegates from all over West Papua, and

(iii) the congress elected leaders to speak for the Papuan people;

(b) condemns the violent crackdown that left seven Papuans dead and many more injured;

(c) calls for an immediate end to violence in the area;

(d) recognises the rights of the people of West Papua to freely travel, assemble and discuss their own future; and

(e) calls for the humane treatment and timely release of those arrested.


The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator LUDWIG: Parliamentary motions—and the chamber is familiar with the government's view on this—are not the best mechanisms to deal with complex foreign policy matters. Australia regularly engages with Indonesia about developments in the Papuan provinces. The Indonesian government has expressed its concern over developments in Jayapura and has restated its commitment to strengthen implementation of special autonomy in the Papuan
provinces. Australia welcomes President Yudhoyono's statement that any abuses by security forces are to be investigated and punished. The government follows closely developments in Papua. Australian officials regularly visit the provinces to better understand the situation there. Under the Lombok treaty, Australia is committed to respecting Indonesian sovereignty and territorial integrity.


The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator DI NATALE: This motion relates to the third Papuan National Congress in Jayapura in West Papua. This was a congress of the West Papuan people, with 3,000 or so people—perhaps more—gathering peacefully in an attempt to discuss their future, a future that has been denied to them by the Indonesian government. There are some important lessons from Australia's reaction to the situation in East Timor and what resulted there that can be applied here. If we are to learn anything from history, we need to learn that when human rights abuses are committed it is our duty and our obligation as good neighbours to the Indonesian people to take a very strong, principled and direct stand against those abuses. This motion does nothing more than suggest that the violent crackdown that occurred in West Papua—

Honourable senators interjecting—

Senator Bob Brown: I rise on a point of order. I am very close to Senator Di Natale but there is so much noise in here that I cannot hear him. It is a very important issue. I think that he should be heard in some silence.

The DEPUTY PRESIDENT: Thank you, Senator Brown. I remind senators to be orderly and quiet while Senator Di Natale is addressing the chamber.

Senator DI NATALE: This motion does nothing more than condemn what I hope all Australians would condemn, and that is the violent crackdown on innocent, peaceful people gathering to discuss and determine their own future, a crackdown that resulted in the deaths of seven people and that violently affected countless others. And there were a number of arrests: we now have a number of Papuan leaders in prison for doing nothing more than expressing their right to determine their own future. We ask the Australian government to not be complicit in these abuses. We ask the Australian government to cease and desist its support for the Indonesian police and the Indonesian military. As part of being a good neighbour, we should respect human rights and show some leadership on this very important issue.

Question put:
That the motion (Senator Di Natale's) be agreed to.

The Senate divided. [15:51]
(The Deputy President—Senator Parry)

Ayes .............................. 11
Noes .............................. 35
Majority......................24

AYES
Brown, RJ
Hanson-Young, SC
Madigan, JJ
Rhiannon, L
Waters, LJ
Xenophon, N

NOES
Abetz, E
Back, CJ
Bishop, TM
Cameron, DN
Colbeck, R
Crossin, P
Fifield, MP

Di Natale, R
Ludlam, S
Milne, C
Siewert, R (teller)
Wright, PL

Adams, J
Bilyk, CL
Boyce, SK
Cash, MC
Cormann, M
Edwards, S
Fisher, M
Question negatived.

DOCUMENTS

Future Fund

Order for the Production of Documents

Senator CORMANN (Western Australia) (15:54): I seek leave to amend general business notice of motion No. 497 standing in my name for today proposing an order for the production of documents on the correspondence between the Minister for Health and Ageing, Ms Roxon, and the Future Fund, before asking that it be taken as formal.

Leave granted.

Senator CORMANN: I thank the Senate. I amend the motion by omitting the words 'by noon on Wednesday, 2 November 2011' and substituting the words 'by noon on Tuesday, 8 November 2011'. I move the motion as amended:

That there be laid on the table by noon on Tuesday, 8 November 2011:

(a) for each of the following measures linked to the MRRT [Mineral Resource Rent Tax], the estimated budget expenditure and/or revenue foregone for each of the financial years from 2011-12 to 2014-15 inclusive:
   (i) superannuation guarantee increase (from 9 to 12 per cent),
   (ii) superannuation tax rebate for low income earners,
   (iii) 50 per cent discount on interest income,
   (iv) increasing concessional contribution caps for over 50s,
   (v) phasing down interest withholding on financial institutions,
   (vi) early company tax cut for small business,
   (vii) small business instant asset write-off,
   (viii) standard deduction for work related expenses,
   (ix) lowering company tax rate, and
   (x) regional infrastructure fund;

(b) for each of the measures listed above the methodology used for projecting these costs in 2013-14, 2014-15 and over the medium- to long-term, including (but not limited to) actual uplift/up rate factors for wages, prices and any other relevant factors;

(c) the methodology used to project the cost of the proposed superannuation guarantee...
increase at $3.6 billion in 2019-20, as cited in the 2010-11 Budget, Budget paper no. 2, p. 42; and

d) Treasury's assessment of the impact on estimated MRRT revenue for the period 2012-13 to 2014-15, and if available beyond, of state and territory government decisions taken since the release of the 2011-12 Budget to change royalty arrangements in relation to iron ore and coal.

Question agreed to.

COMMITTEES

Foreign Affairs, Defence and Trade Joint Committee

Meeting

Senator McEWEN: At the request of Senator Furner, I move:

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sitting of the Senate as follows:

(a) on Wednesday, 2 November 2011, from 11 am to noon; and

(b) on Tuesday, 22 November 2011, from 1 pm to 2 pm.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

The DEPUTY PRESIDENT: A letter has been received from Senator Fifield:

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

The Gillard Government's incapacity to govern competently as it lurched from crisis to crisis.

Is the proposal supported?

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

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

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (15:57): When the history of Australian governments is written the Greens-Labor government under Ms Gillard and Senator Bob Brown will go down as the worst ever. In the index, under the word 'crises', the entries will be lengthy: cabinet leaks, the cash splash, Fuelwatch, GROCERYchoice, the Fitzgibbon resignation, pink batts, Building the Education Revolution, solar panels, Green Loans, 'cash for clunkers', border protection, the Carbon Pollution Reduction Scheme, the no-carbon-tax promise, mandatory precommitment on poker machines, the superprofits tax, the live animal exports—and the list goes on and on.

And today we have of course the addition of the Qantas debacle. We have a Prime Minister who can ring a 14-year-old boy in a prison in Bali, who can ring Australian sporting superstars on their success and try to get publicity but who is unable to lift the phone to ring the CEO of Qantas in circumstances where the nation was ground to a halt as a result of industrial action. At the behest of the Greens, this is a Prime Minister who can stop the live cattle export industry overnight, but this is a Prime Minister that cannot stop industrial action within a few hours, although she has that power in legislation that she herself wrote, namely, section 431 of the Fair Work Act. Her reason for not using it was that it was untested, it was untried. Who put it in her legislation? She did. Why is section 431 in the legislation if it cannot be used because it has never been tried? What a wonderful endorsement of Ms Gillard's personal work that she says her own legislation does not work and will not work.

Today we have had proof positive of what we on this side have thought for so long: that
if the government were not so beholden to the leadership of the Transport Workers Union—the leadership of which will undoubtedly become the leadership of the national Australian Labor Party at their national conference—they would have been able to act and stop the Qantas fleet from being grounded. Qantas have today confirmed that if the government would have taken decisive action and promised action under section 431 they would not have grounded the fleet.

We have on the other side of this parliament a smorgasbord of trade union officials like you would not believe—28 out of the 31 sitting over there are former trade union officials priding themselves on being able to read the industrial relations scene. Yet, allegedly, not one of them predicted what Qantas might do. When Qantas gave them hours and hours of notice of what they were intending to do, they said they were ambushed and they were flat-footed. They did not even ask Qantas, it would seem, for an extra hour or two to consider the government's position with a view to intervening in the dispute so that tens of thousands of Australians would not need to be inconvenienced by the grounding of the fleet. Why didn't the government do that? It has all these industrial relations experts on the other side, but dare we raise the issue of the strikes that were being threatened day by day by union leadership? Those opposite claim to be the champions of the workers, but take my tip: Thursday night, as the parliament rises, and Friday morning the Labor senators will all be there in the Qantas Chairman's Lounge whooping it up courtesy of Qantas. They will not tell the workers that they were there in the Qantas lounge whooping it up courtesy of Qantas. They will be saying, 'We were there fighting for the workers.'

We now have this bizarre proposition that somehow we on this side got advance notice from Qantas. It is news to me and it is news to my family. Why on earth I had to fly up here on Monday morning on a Virgin flight when I usually leave on a Sunday evening is beyond me. If I had all this notice and all my other colleagues had this notice, why did so many of the coalition frontbench—all of us, in fact—have to make alternative arrangements to get here for this week's sitting? The Labor Party, devoid of any excuse for their inaction in this, just make up this story that somehow Qantas had told us. What do you do? The Labor Party think that attack is the best form of defence. They make up a story, feed it to the media and hope it gets legs. I invite anybody from the Australian Labor Party to have a look at all the coalition frontbenchers who had to make changes to their flight schedules to get themselves here for the parliament. If we had had advance notice that would not have been necessary.

I am sure that Senator Cameron, having debunked that conspiracy theory, will in his fertile mind rustle up some other conspiracy theory to try to condemn the coalition. But the Australian people know this: it is Labor and the Greens who are in government and they are the ones that have to justify their incapacity to run this country. Their disputes between themselves are now becoming legion. We have Senator Kim Carr—they call him 'Rusty' these days because he leaks everywhere. We know that on border protection they have heated disputes within cabinet, because the Minister for Immigration and Citizenship, Mr Bowen, sided with the coalition policy on border protection—others did not. Ms Gillard won the day only because her pride got in the way of good sensible policy. We know as well, courtesy of leaks, that four or five cabinet ministers in a phone hook-up on the Qantas dispute were in dispute between themselves. It is quite
clear that the Minister for Infrastructure and Transport, Mr Albanese, and the Assistant Treasurer, Mr Shorten, wanted the government to take the sort of action that somebody was suggesting a week earlier on Meet the Press and that the Victorian Premier and the New South Wales Premier were suggesting. These were summarily dismissed by the great expert Ms Gillard herself.

But we know that action could have been taken and should have been taken. What is more, there are Labor ministers anxiously leaking to put on the record that they were on the coalition side on border protection and that they were on the coalition side with the Qantas dispute. Yet they still come out with these outrageous claims that somehow we knew about it before Labor did. As if that were the case—really! Do you expect the Australian people to accept that as an excuse for Labor's gross incompetence in this area? The Manager of Opposition Business, Senator Fifield, was absolutely right to put before the Senate a matter of public importance that states:

The Gillard government's incapacity to govern competently as it lurches from crisis to crisis.

Not only is this government incapable of making good decisions on border protection, workplace relations or the carbon tax but let us not forget that great deceit perpetrated on the Australian people 'There will be no carbon tax', and here they are all lemming-like running to the cliff to throw themselves over to vote for a carbon tax that they promised the Australian people they would not have.

But the greatest indicium, the greatest indicator, of a government in crisis is when the cabinet leaks and when the cabinet leaks on a regular basis. Labor has it now leaking out no longer by the bucketful; it is coming out not drip by drip but by the swimming pool. The leaks are huge. The border protection leaks were absolutely devastating. Now we have got the workplace relations leaks in relation to Qantas. So there is no doubt that this is not only an incompetent government in relation to its management of its own affairs; it is also failing the nation. (Time expired)

Senator CAMERON (New South Wales) (16:08): At least Senator Abetz had the honesty to smile when he was doing that. He actually knew that this was so much rubbish that he was going on with. If you talk about incapacity to govern competently, I think the record holders in that were the Howard government. The Howard government set a big benchmark on incompetence, the incompetence of Howard and Costello, the ongoing fight between Howard and Costello. You can imagine Peter Costello going back to his staff and saying, 'Look, Little Johnny won't let me become Prime Minister.' And what did he do? He walked away from politics because he had no internal fortitude. He could not take John Howard on, he could not deliver decent economic policy, and what did he do? He just allowed John Howard to conduct a spendathon when he was in government, an absolute spendathon. There was no economic credibility, in my view, from the Howard government.

It is an absolute myth that the Howard government were economically competent. You only have to go back and have a look at the exposure that was done on John Howard and Peter Costello by Peter Hartcher. What did Peter Costello say to Peter Hartcher? He said, 'I had big fights with Howard all the time'—not just some fights but he had fights all the time with John Howard. He went on to say, 'As the party of low taxes, I thought we ought to keep the ratio of taxes to GDP low.' He might have thought that but he did not have the backbone to actually force that position through as the Treasurer. 'My view was always that cutting taxes was more
important than new spending. This would be a point of argument and contention between the two of us,’ he said. So here you have the so-called dream team, John Howard and Peter Costello, arguing and fighting all the time, an absolute crisis of leadership continually in the Howard government, a crisis of leadership between the two senior Liberals in government, the Treasurer and the Prime Minister.

What did they deliver? They delivered nothing. A spendathon is what they delivered. Peter Costello said that he had to give in—

Senator Ian Macdonald: Mr Deputy President, I raise a point of order on relevance. I know we are allowed very wide parameters for these debates, but the subject we are discussing is the Gillard government’s incapacity to govern competently as it lurches from crisis to crisis. I do not think Senator Cameron is aware of the subject of the day. He is talking about things completely foreign to the matter before the chamber.

The DEPUTY PRESIDENT: I remind Senator Cameron of the topic we are discussing.

Senator Cameron: The topic I am discussing is a crisis in the Howard government. You have an accusation of crisis against the Gillard government. I am entitled to go back and talk about the crisis that was an ongoing crisis in the Howard government, and that was the incapacity of the then Prime Minister and Treasurer to get on with each other. That was a crisis, and we saw that crisis in the Howard government played out many times.

In 2001 when Costello was arguing that they should be fiscally competent, John Howard broke all previous records with $26 billion worth of new spending. It was simply spending to try and buy votes. He topped that with a new record in 2004 with $66 billion of new spending. Then he set a new record in 2007 that would be an all-time record of new spending, $128 billion, including election promises. The crisis for the Howard government was that Peter Costello did not have the courage, the capacity or the backbone to put a stop to this. So I will not be lectured by the coalition about any crisis when there was an ongoing crisis in the Howard government and that crisis was a crisis of leadership, a crisis of economic competence and a crisis that meant that this country did not take the steps that were required to deal with the big emerging environmental and economic issues that it faced.

There was no infrastructure investment. We had a crisis under the Howard government of infrastructure investment. Time and time again they were warned by the Productivity Commission, they were warned by government departments and they were warned by Engineers Australia that we had to build infrastructure in this country to take advantage of our natural resources. The crisis continued and there was no spending on infrastructure.

There was a crisis in education. It took the Labor government to fund decent infrastructure in education in this country. The Labor government had to do that. In the seat of Macquarie you see some of the schools where they had outside toilets, freezing toilets, old toilets, 100-year-old toilets still being used. The Howard government did absolutely nothing about that. Under the Howard government, there was a crisis in manufacturing. When the Howard government took over, elaborately transformed manufactures were growing. When the Howard government finished, manufacturing jobs were in rapid decline and free trade agreements were being signed with the US, putting our manufacturing industry under challenge.
The Howard government failed dismally to deal with climate change and you can see why they failed to deal with climate change—it was because people like Senator Macdonald did not believe in climate change. People like Senator Macdonald are climate change deniers.

Senator Ian Macdonald interjecting—

Senator CAMERON: He can deny that all he likes. If you look at the record of Senator Macdonald, not only on the floor of this house but at inquiries and at Senate estimates, you will see that he is a climate change denier.

Senator Ian Macdonald: On a point of order, Mr President: is there any provision in this chamber to stop a senator telling deliberate lies which he knows are deliberate lies? I have always acknowledged climate change exists—and it has for 20 million years, Senator Cameron.

The DEPUTY PRESIDENT: Senator Macdonald, that is a debating point and you will need to withdraw the comment 'deliberate lie'.

Senator Ian Macdonald: I will withdraw because you have ordered me to, Mr Deputy President, but what Senator Cameron said was a deliberate untruth.

The DEPUTY PRESIDENT: Senator Cameron, I remind you of the topic under discussion in the chamber today.

Senator CAMERON: I repeat, Mr Deputy President, that the topic is about governments and that the topic is about crises. The Howard government's failure to deal with climate change demonstrates a crisis of competence in that government. That is directly on topic and it is directly to the point. You cannot have a position where the coalition come in here, run all their spurious arguments and then, when faced with some home truths about their lack of capacity to deal with some of the bigger economic and environmental issues, get up and bleat like stuck pigs, saying, 'You cannot raise those issues.' I will be raising those issues. They are directly on point and they go directly to the issue of competence.

The Howard government were incompetent in dealing with workers. What was their approach on workers? We see a crisis in the coalition now because some of them want to continue Work Choices. The member for Moncrieff, Steve Ciobo, is down there arguing to go back to Work Choices and Senator Abetz is trying to paper that over. The big crisis is not a government crisis; the big crisis is the lack of direction, the lack of vision and the lack of policy on the opposite side. We know that the member for Moncrieff is standing over Senator Abetz, trying to get a hardline, right-wing industrial policy in place. We know that is the crisis, the battle, which is going on within the coalition and we know who will eventually win, because we know that the hardliners, the right wingers, in the coalition want to create another crisis. They want to create another crisis for working families in this country by implementing Work Choices once more. We know that is the battle that is on and we know that is where it is all heading. So I will not be lectured by the coalition about crises; I will not be lectured by them for one minute.

What have the big crises been? There have been two crises which, from my perspective, are worth talking about today. One crisis was the global financial crisis. During the global financial crisis, what did the coalition have to say? They tried to pretend it was not happening. They called it 'the North American crisis' as if it were not a problem, as if we did not have to bail the banks out here and underpin them to maintain confidence in the financial system. The coalition thought things would go ahead.
They said, 'We will just wait and see what happens.' If ever there were a crisis of competence, that was one. When the International Monetary Fund, when the OECD, when the Treasury and when the Reserve Bank were all saying, 'We have to stimulate the economy; we have to make sure we keep people in work,' what did the Labor Party do? We stimulated the economy and we kept 210,000 Australians in jobs. That kept rural communities and regional communities going. It kept people in work. We were not prepared to do what the coalition wanted to do—wait and see what would happen and end up in a major recession, if not a depression. We fixed that. Our record in facing crises is there for people to see. We take action and we actually deliver on jobs in this country.

What is the other crisis? The other crisis, they say, is Qantas. We heard Senator Abetz wax lyrical about Qantas. I do not mind if the coalition want to stand up, day in and day out, defending big business and defending Qantas—who showed absolutely no interest in looking after the travelling public, who treated the travelling public with contempt and who simply closed their business down and left Australians and international passengers stranded all over the world. If that is what the coalition want to defend, I am not surprised. We know they are the party of big business, we know they are the party which does not want the big mining companies to pay one extra cent and we know they are the party which wants to give $10 billion back to Gina Rinehart, Twiggy Forrest, Anglo American, BHP and Rio Tinto. They want to give $10 billion back to the mining companies when the rest of the country is struggling. We want to deal with the crisis of the patchwork economy by making sure that everybody gets a fair go. And what do the coalition want to do? They want to give $10 billion back to some of the richest, most powerful companies not only in the country but in the whole world. BHP and Rio Tinto are saying, 'We are prepared to pay.' What an absolute joke these people are.

We know a crisis is on in the coalition, because we know that the Nationals do not like the Liberals, we know the Liberals do not like the Nationals and we know the Liberals do not like each other. It is all being papered over at the moment, but it is all ready to burst out like a big boil. And it will happen. Mark my words: it will happen. The crisis is one of competence in the coalition—a massive crisis of competence. They are just completely incompetent.

When we acted decisively on looking after working people in this country, when we got rid of Work Choices, what did they do? They said, 'Well, you had better look at giving more flexibility to the employers.' I have been around the industrial relations scene for a long time and I know what flexibility for employers is—it is getting rid of workers' penalty rates, their shift allowances and their annual leave loading, and making sure that they work any hours the boss wants. That is where this lot want to go. Make no mistake about it, if there is ever a coalition government again Work Choices is back. It is not a crisis of government then; it is a crisis for working people. They are the party of big business. They are the party of sucking up to big business, taking the money off big business for their election campaigns and delivering in spades to big business at the expense of ordinary working people in this country. They are an absolute disgrace and they absolutely have a hide to come here and talk about any crisis in a government that looks after working people in this country.
Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (16:24): It is amazing how Senator Cameron has to talk about the past. He cannot talk about the present—the factions and the disputes. As Senator Cameron heads for the doors I am reminded of when he said, ‘Kevin Rudd has my total support as Prime Minister,’ and a few hours later Mr Rudd was politically decapitated. Now Senator Cameron is doing a bolt from the chamber like the horses down the straight at Flemington instead of sitting here and listening to what I am about to say. How disappointing. Please listen, Senator Cameron. Come back, don’t bolt!

Where do we start? We can start with government spending. Today interest rates went down by a quarter of a per cent. I think that is a great thing, but I ask the question: why? Why did we have seven interest rate rises in the first place? Why did the official rate go from 3.0 per cent to 4.75 per cent? Well, the Reserve Bank raised them because the government had their foot on the accelerator, borrowing money and wasting it throughout the economy. Our debt as of last Friday was $215.6 billion. To the people listening on radio, how many generations of your children are going to be mortgaged away with $215.6 billion of debt?

Where was the money spent? There was the pink batts fiasco, where $1.8 billion was spent to put insulation into ceilings. Now they are going to spend another $1 billion to take it out and have it policed.

Senator Thistlethwaite: The lowest unemployment in the OECD.

Senator WILLIAMS: I will take the interjection by 'senator pricklebush'—sorry, Mr Deputy President; Senator Thistlethwaite. The point is that four people lost their lives in this crazy scheme. That is the sad thing.

Senator Lundy: Mr Deputy President, on a point of order: I would like you to rule on that kind of petty name calling that the senator is engaging in.

The DEPUTY PRESIDENT: It was disorderly. Senator Williams did correct himself. I remind Senator Williams to use the correct title for senators.

Senator WILLIAMS: My apologies. I will certainly do that. There is a very important thing in the interest rate decision today. Remember Melbourne Cup Day last year when interest rates went up by 0.25 per cent and the banks, like the Commonwealth Bank, raised them 0.45 per cent? I think NAB was 0.35 per cent. Let us see if the banks reduce interest rates for home loans; we know they will not do it for businesses. We look at the huge reduction in interest rates during the global financial crisis—some four per cent reduction in official rates—and businesses and farmers got just a 1.5 per cent reduction in their rates. I am sure the banks are scared, because Treasurer Swan, the Deputy Prime Minister, has warned them that if interest rates go down today the banks must follow. The Treasurer has said that some 50 times before and the banks have not paid any attention to what he was saying.

But I ask the question: why did the rates go up in the first place? This is the point. The nation is wallowing in debt brought about by the huge spending of this government. They raised their debt limit first of all from $75 billion to $200 billion and then just recently from $200 billion to $250 billion—remember that sneaky little piece in the budget last May that was brought into the House of Representatives late at night to be passed through, so no-one knew of the hidden way of extending the credit card debt for all Australians.

Ask where there money went. There were the school buildings: the $600,000 kiosk at
the Tottenham school, where you cannot swing a cat it is that small. I could take you to the Kingstown school, north of Tamworth where $330,000 was spent for a building about eight metres by four metres. An amount of $300,000 would build you a huge solid brick home with four or five bedrooms, but they get a room eight metres by three or four metres for $330,000. We could go on with the waste. That is why the Labor Party are polling a 29 per cent primary vote. The Labor Party knows that to win an election they need a four in front of their primary vote. The Australian people are not fools. They have seen the debt building and the waste and they have judged them. Let us look at the issue of asylum seekers and the cost of that to our nation, let alone the cost in lives. They say that some four per cent may lose their lives coming here on leaky, dangerous boats. It is an industry that has been cranked up because of the actions of this government. The budget had the cost of asylum seekers to the Australian people at $1.2 billion—a huge amount of money. But that figure blew out by $1.1 billion, making a total $3.2 billion of borrowed or taxpayers' money for the cost of asylum seekers to this nation last year. Before the election, it was the East Timor solution and then it was the Malaysian solution, which the High Court rightly ruled out. On Perth radio last year, the Prime Minister said, 'I will not send asylum seekers to countries that are not signatories to the refugee convention.' But then she went in the opposite direction and pursued her policy to send them to Malaysia—not a signatory to the refugee convention. She went back on her word. That is no surprise.

We know the carbon tax promise that was made before the election. That will hound Prime Minister Gillard to her political death. She will be remembered for that broken promise. That was stimulated by the Greens and the Independents—Mr Tony Windsor and Mr Rob Oakeshott, who played a major role and were complicit in the Prime Minister and the Treasurer breaking their word to the Australian people. Make no mistake about it, those others were complicit in the failure of the Prime Minister and the Treasurer to keep their commitment made to the Australian people prior to the election.

Let us look at live cattle exports. I watched that *Four Corners* and I was disgusted with the treatment of those cattle. As I have said before in this chamber, I am no stranger to a butcher's knife. For many, many years, my brother and I slaughtered our own cattle, sheep, pigs and poultry. I thought the behaviour I saw on that program was disgusting. Why didn't Minister Ludwig the very next day just get a copy of that *Four Corners* program, get on an aeroplane and go straight to Indonesia and meet their agriculture minister, and say, 'We have a problem and it is unacceptable to see animals treated like this'? But, no, all the emails came in and the government, being poll driven, put a suspension on the whole industry. We have the situation now with the export of live cattle to Indonesia where a cow must not exceed 350 kilograms and we have cattle being carted from the top of Western Australia to Inverell in northern New South Wales at $200 a head for freight. That is the legacy of this disgraceful decision by this government.

We could go on about so many other things regarding this government's performance. There was the cash-for-clunkers scheme. What happened with that policy? It was announced before the election. It has been put aside, like so many other things. There was the promise by this government to put downward pressure on fuel prices with the Fuelwatch scheme. What a waste of money. Then we had GROCERYchoice. I remember looking at the website for northern
NSW and it had some grocery prices in Tamworth and some in Grafton. It is a long way from Tamworth to Grafton. This was supposed to put downward pressure on grocery prices!

The government lurch from fiasco to fiasco. But the Australian people now know that they cannot trust this government to spend taxpayers' money wisely, to protect our borders and to even keep our aircraft flying with some sort of regularity. Let us look at what happened there. Qantas management were pushed to the extreme in taking the action that they did. It caused a fiasco for the travelling population both here and abroad, because the government failed to see the situation and it failed to act.

I want to go back to interest rates. We had seven interest rises under this government, because of their wasteful spending to stimulate the economy, while the Reserve Bank was pulling on the handbrake. The government have their foot flat out on the accelerator and the Reserve Bank pulled on the handbrake seven times. If the government had not borrowed so much and if they had not wasted so much, interest rates would have stayed lower and, importantly, the exchange rate would have stayed lower as well. The cost to rural Australia has been huge as a result of the Australian dollar being above parity, with the consequent loss in the value of our exports.

To top it off, what are we now going to get? A carbon tax—a tax that is going to create so many jobs! If it is going to be so good for our nation, why don't they double it to $46 a tonne? Of course they will not do that. This tax will adversely impact many of our exporting industries. Take the cement industry, where we have lost two factories—Rockhampton and Kandos. Those jobs have been lost and the industry has had to shut down because they could not afford greater costs. This government think that a carbon tax is going to save the world and build all these jobs. It will do none of that; it will simply add to the cost of living and to the costs for industry. It is tax on business—the sector of the economy that derives our nation's wealth. This government hate business, hate them employing people and hate them making a profit. And what do the government intend to do? They intend to strangulate business. This is why they have been a most disgraceful government.

Senator THISTLETHWAITE (New South Wales) (16:35): Last Friday afternoon, I had the pleasure of visiting East Maitland Public School in the electorate of Paterson and opening that school's brand new Building the Education Revolution facilities. These facilities, a $3.4 million investment, provide four new classrooms and a covered learning centre. Two of those brand new classrooms are for special-needs children—children with severe learning disabilities, Down syndrome and autism, and some who are non-verbal. I was touched to visit that school and to talk to the principal, who was over the moon about the fact that finally her school had some facilities that could offer a decent education for kids with learning disabilities. I spoke to a parent at the completion of the ceremony who had moved from Western Australia to get their kid into this particular school because of the educational opportunities that could be offered to their son, who has a severe learning disability. In the government's view and in my view, this is money well spent. It is invested in public education and in greater educational opportunities for kids, particularly those with learning disabilities.

I am flabbergasted to still hear the criticism and the ridiculous claims from those opposite about this scheme. I challenge any of those opposite to look in the eye of the parent of a kid with learning disabilities
and tell that parent that the money we spent in providing their son or daughter with the same educational opportunities as other students in that school was a waste of money.

When I was a kid at school and a university student, I can remember a time when debates in our nation's parliament were about a belief and a vision for our country, a genuine contest of ideas, a battle for the hearts and minds of the people of Australia. I can remember a time when the Liberal Party had vision and belief, albeit a conservative belief and one that I did not agree with, and they had policies on issues. This matter of public importance today clearly demonstrates that the modern Liberal Party have no belief, no philosophy, no vision and in particular no policies for this nation. They are a policy free zone.

When it comes to policy development, they are woefully inferior to the Liberal Parties of the past and that shows in this MPI today. It reflects the philosophy under the leadership of Tony Abbott, whose approach is to say no to every idea, no to every policy, no to every vision, no to every philosophy for our nation. It is not only the policies of the Labor government that Mr Abbott opposes; it is also his own party room. When was the last time we heard a policy announcement from the Leader of the Opposition? When was the last occasion on which a shadow minister made a policy announcement? I cannot remember.

The only policy to have come out of the Liberals' party room in the last few months has been from the member for Mayo, Jamie Briggs, who said that individual contracts should be part of the Liberal Party's workplace relations policy, that the Liberal Party should consider extending the GST to the likes of food. They are a policy free zone and this MPI today demonstrates that. It is not for me to make these claims. It is not for me to criticise them when one of their own is doing an ample job of doing that. I draw the Senate's attention to a quote from former Leader of the Liberal Party John Hewson, who said in respect of Tony Abbott:

He's not a policy-driven person; he sees politics as a game—you say or do whatever you have to win and if you have to change your view, you do. His strategy is to be provocative, to be in people's faces ... He throws a bomb and then he moves on, or if it blows up too badly, he apologises.

That was the view of John Hewson, a former leader of the Liberal Party. Why is that? Why are they a policy free zone? When they announce policies we see why. Let us have a look at the last election and how the Liberal Party proved what wonderful economic managers they would be of our economy. Not only were they pledging to cut services but when they lodged their election commitments for costing, they came up $11 billion short. Not even their own financial auditors would give an unqualified signoff on their accounts. There was an $11 billion black hole in their costings—and they claim to be an alternate government!—and that black hole was only beaten by a recent leak from their shadow cabinet about $70 billion worth of cuts which they are planning.

On their direct action policy on climate change, they say that they agree with our policy of a five per cent reduction in emissions by 2020. How will they achieve that? They will pay big polluters. They will provide subsidies with no guarantee of reductions in emissions.

I always thought that the Liberal Party philosophy believed in market efficiency. Indeed, I had a look at the Liberal Party website today. One of their beliefs is that government should not compete with an efficient private sector and that businesses and individuals are true creators of wealth and employment. If you looked at the Liberal
Party policy on climate change, you could be blown over and fooled by the fact that it is in direct contrast to their beliefs on their own web site.

Then we have had them criticise us about Qantas—but they do not have a policy when it comes to workplace relations. I asked those opposite, 'What is your policy on workplace relations? Are individual contracts in or out? Is the member for Mayo right or wrong?' When are we going to get a policy announcement from those opposite on important issues? They fail to understand that the provisions in the Workplace Relations Act relating to suspension and termination of bargaining periods have been there since 1993. They were there for the whole period of the Howard years. Not once—never ever—was that particular section, which allows the minister to make a declaration, used by those opposite, yet they seek to criticise us.

Our philosophies and our policies are clear. We are a reforming government. We have put our policies before the people. We have announced our policies and we continue to do so. They are fully funded and fully costed. Our policies and our vision are for economic growth with fairness and we are delivering on that. We have one of the best performing economies in the world, with unemployment half that of the United Kingdom and the United States. We have created jobs. We have protected jobs during the global financial crisis.

Senator Williams mentioned debt. Australia has one of the most enviable rates of net debt in the developed world. Our average is well below that of the OECD. We have a clear plan to return our budget to surplus. We have a clear plan to protect the environment by pricing carbon through a market based mechanism that will allow businesses to make their own decisions about how they reduce their costs associated with carbon emissions, a plan that will drive investment and jobs growth in renewables technology in the new economy. We have a plan to reform our health system and we are delivering that reform, with more doctors and nurses being trained and pressure being taken off our hospitals and our emergency centres with GP superclinics. We have an ageing population, and this is something that we realise will place a great impost on our budget. That is why we have a plan to increase occupational superannuation from nine per cent to 12 per cent. We are delivering extra public housing. We are delivering pension increases. We are delivering tax reform for low- to middle-income earners. When it comes to policies, Labor has a clear plan. The opposition is a policy vacuum, and this is well demonstrated by this motion this afternoon.

Senator JOHNSTON (Western Australia) (16:45): This is a matter of public importance. This government's level of incompetence is such that I do not think anybody in this chamber in their lifetime has seen anything that resembles the crass incompetence of this government, of these ministers, of this Prime Minister and, indeed, of the senators in the Labor Party here in this chamber. It is very interesting in such a pointed matter of public importance that Labor senators have not sought to raise any legitimate achievements that have arisen from good public policy and good administration. In questioning why that is the case, the answer is that there simply are not any. This government lurches from one fiasco to another. This last weekend we saw for all to understand incompetence in living, breathing form in ministers and the Prime Minister.

Good government has a number of qualities. Firstly, it has a competent leader in control of her ministers. Secondly, it comprises competent ministers in a cabinet
who are loyal to their leader, the Prime Minister. Thirdly, good government has a party room or a caucus that is loyal and in support of the Prime Minister and her ministers. This Prime Minister and this government have none of those three features. Kevin Rudd is running a relentless and utterly ruthless campaign to regain the leadership of the Labor Party, and this Prime Minister has no authority to discipline him or deal with him in any shape or form whatsoever. He is on the loose, out of control and undermining this government at its very foundation. She is so lacking in authority she can do nothing but smile and watch.

This campaign of Mr Rudd's would not have a feather to fly with if it were not for the void of honour and integrity that this Labor cabinet has created. It is a void that is so hollow and deep that Kevin Rudd is enjoying rock star status. He gave the performance we observed on Friday night in Perth unchecked and undisciplined. This is all because these ministers in this government are so disloyal, undisciplined, lacking in honour and lacking in integrity. They are collectively disloyal. They are incompetent and ill disciplined in everything they do. One can probably name more than 50 different policy approaches that have come off the rails, been a waste of money and so poorly understood and administered by these ministers that they are a standing joke in Australian public policy circles.

In terms of public policy in government, the skills of these ministers can be summed up in one word. That word is 'spin'. They muck up something and then they will tell you that they actually were successful. Last weekend we observed Qantas in chaos and the travelling public in chaos. What did we have from the government? They were saying that they had resolved the issue successfully. The fact is that they were caught out in a most obvious and ridiculous way. They were sitting on their hands. They had plenty of warnings. With three hours notice that there was to be a lockout what did they do? They did absolutely nothing, leaving the public in the lurch.

Why does this Prime Minister lack all authority? There have been a number of events that have indicated that she is prepared to say and do anything to get a by-line, to get over a hurdle and to avoid scrutiny. The first and most obvious thing was the promise that there would be no carbon tax under a government that she personally led. We all know the level of integrity, honour, honesty and truthfulness in that statement. But when confronted with various problems in the execution of Kevin Rudd she tossed up the East Timor solution. The incredible fact about this was that she did not even bother to tell the East Timorese. Then, when pushed, she threw up the Manus Island solution. Again, the Papua New Guineans in Port Moresby were not even consulted. Needless to say, the Malaysian solution has gone the same way as the other two—a complete and utter fiasco. But, more importantly, our foreign policy stance with our near neighbours is an absolute shambles.

This is a Prime Minister and a cabinet that have totally lost their way, are extremely incompetent and lack integrity. Where is the evidence? The evidence, as I have hinted at, is the performance of Kevin Rudd at CHOGM. At every single opportunity he upstaged his Prime Minister. Every single time she wanted to make an announcement he was there butting in a day or half a day before, ripping the rug out from under her. His conduct with respect to the government's policy of mandatory precommitment in clubs for poker machines is virtually giving two fingers not just to cabinet and the Prime Minister but to his party. She does not have the authority to come in and discipline him. He has refused to endorse the policy.
The second piece of evidence, which is the smoking gun of the complete collapse of integrity inside the Labor Party, is these cabinet leaks. The business of cabinet is only going to be conducted successfully if people can talk freely and can conduct their business with a sense of confidence and security. We have cabinet ministers openly briefing journalists against their colleagues. This is indicative of the last days of a decadent and collapsing government. The point about this cabinet is that its members are so full of bile and invective towards each other that they are now seeking the assistance of a hungry media to launch campaigns against each other. We have seen people accused: a senator in this place has been accused of perpetrating the leaks. We have seen ministers arguing: we saw Minister Albanese and Minister Evans arguing with each other about the way to resolve the Qantas dispute on the weekend. We found out about that because ministers are leaking against each other.

This Prime Minister's authority is so low that there is a complete and utter failure to enforce any discipline or to run this cabinet properly. Indeed, Kevin Rudd is now so confident—he has undermined the foundations of this cabinet so much—that he is openly sending out signals and invitations to those who assassinated him that there will be no retribution upon his return. All is forgiven. That is the level of this Prime Minister's lack of authority. She is just floating on the surface, treading water, waiting for the inevitable. The sorts of events we saw this weekend are a product of that.

Of course, the Prime Minister has absolutely no-one but herself to blame for this, because it all comes back to the public's perception of what is integrity, what is truthfulness and what is a reliable element in her make-up that the public can have confidence in. The first thing that everybody in Australia goes to, to see what sort of a person this Prime Minister is, is her promise just before the last election that there would be no carbon tax under the government she leads. She made that promise because she knows that this is poison. Yet here she is, having sold her soul to the Greens, pushing on with it. She and her cabinet are doomed.

Senator Faulkner (New South Wales) (16:55): This afternoon the Senate debates a so-called matter of public importance. This is not a matter of public importance; it is a deliberately designed matter of political impediment. This is a device to waste the parliament's time, a device by an exclusively negative opposition to focus solely on politics, a device to enable more carping criticism of the government. Mr Abbott's strategy is clear for all to see. I will share it, with due apologies to Johnny Mercer, with the Senate: 'You've got to eliminate the positive, accentuate the negative, let go of the affirmative, don't mess with Mister In-Between.' As I said: due apologies to Johnny Mercer.

I have to acknowledge that this is the best tactic the opposition can adopt, because they do not have any policies themselves. Everybody knows what the opposition are against; no-one has a clue what they are for. How could they? No-one in the Liberal Party has a clue what their own party actually stands for, but they know they are against the minerals resource rent tax, they are against 12 per cent superannuation for workers, they are against tackling global warming by pricing carbon, they are against investing in the NBN, they are against any health reform, they are against a fair industrial relations system that has basic protections for workers, they are against the GFC stimulus that saved 200,000 jobs in Australia, they are against the banning of exit fees on home mortgages by banks and they are against the flood recovery packages for Queensland and
Victoria. That is just a small sample of the things we know that the Liberals are against. While we do not know what they would actually do if they formed government, leaked internal coalition documents show the Liberal Party will have to make up $70 billion in cuts to the budget over four years to pay for not what they want to do but what they actually want to undo. That is what we know about the Liberal Party.

I acknowledge that the minority government faces particular challenges, certainly with ensuring the passage of its legislative program. So far in this 43rd Parliament 222 government bills have been passed by the House of Representatives. I actually think that the Prime Minister and the government have proved skilful negotiators with crossbenchers. In fact, I think the hung parliament has worked far better than most predicted it would. Major reforms have been passed, including the structural separation of Telstra, the NBN, national health reform, cyclone and flood reconstruction, plain packaging for tobacco, improvements to higher education and, of course, our budget measures. Perhaps it is now time for the opposition to accept that it did not form a government after the last election and perhaps it is time for it just to play a more constructive role into the future.

The ACTING DEPUTY PRESIDENT (Senator Ludlam): The time for the discussion is concluded.

COMMITTEES

Scrutiny of New Taxes Committee

Senator CORMANN (Western Australia) (17:00): I present the final report of the Select Committee on the Scrutiny of New Taxes on its inquiry into the carbon tax entitled Secrecy and spin cannot hide carbon tax flaws, together with documents presented to the committee.

Ordered that the report be printed.

Senator CORMANN: by leave—I move:

That the Senate take note of the report.

This final report by the Senate Select Committee on the Scrutiny of New Taxes on the carbon tax follows the interim report tabled about a month ago, which was entitled The carbon tax: economic pain for no environmental gain. This final report draws on further information that has come into the public domain since that time and also on some of the reflections that came out of the Joint Select Committee on Australia's Clean Energy Future Legislation, which was of course dominated by government and Greens members of parliament.

We have to remember that this Labor-Green carbon tax is a bad tax based on a lie. It is a tax that will push up the cost of everything, although the government does not really want us to know by how much. It is a tax that will be bad for our economy, although the government does not really want us to know by how much. It is a tax that will reduce our international competitiveness and will cost jobs, although the government does not really want us to know that either. It is a tax that will result in lower real wages, although the government does not really want us to know how much lower real wages will be.

Despite all of that, under the carbon tax emissions will continue to go up, even according to the government's own modelling. There you have it: this carbon tax will have a massive effect on the economy. It will impose significant pain on the economy without actually doing anything to help reduce global greenhouse gas emissions and without doing anything to help reduce the temperature of the globe. But the govern-
ment does not want people across Australia to know how bad the impact of this carbon tax will be on the economy. What did the government do? The government asked Treasury to do some modelling. In going through the modelling process Treasury of course acted at the direction of the government. In doing this modelling the government set the assumptions that Treasury had to follow, including some very contestable assumptions around what other countries are likely to do, which lack credibility.

At the basis of the Treasury carbon tax modelling there is an assumption by the government that countries like the US will be part of comprehensive global carbon trading, which is never, ever going to happen in any sort of relevant time frame. Why is that? Why has the government directed Treasury to use assumptions that are lacking in credibility? It is because the government does not want people across Australia to know the true impact of the carbon tax on the cost of living, on the economy, on jobs or on real wages. The government does not want people across Australia to have the full picture of how this tax will push up the cost of everything while real wages will go down over time and emissions will continue to increase. The government wants people to believe that this is a tax that will somehow solve all of the issues associated with climate change, will lead to massive reductions in domestic and global greenhouse gas emissions and will not cost anything. People will not feel anything. It will not hurt anyone. That is of course completely unbelievable.

What this final report has done is look at some of the information in relation to the modelling, which the government has refused to release. You might recall, Mr Acting Deputy President, that the Senate Scrutiny of New Taxes Committee severely criticised the government for its failure to model a scenario in which Australia imposes a carbon tax but its major resource competitors do not. That is a major failing in the government's modelling. We also criticised the fact that the government refused to release all of the modelling-related information. The government wants us to believe that, somehow, they have released more information than they have ever released before and that, somehow, this is the most comprehensive modelling ever done and that all the information is out there. Well all of the information is not out there. This government is keeping secret very important information that is necessary to scrutinise the credibility of the Treasury modelling. I point here to evidence by the Australian Bureau of Agricultural and Resource Economics and Sciences, which made that very clear during Senate estimates. I asked a direct question of Mr Glyde, who is the Executive Director of ABARES:

Is it your view that an independent third party would be able to obtain sufficient access to the GTEM model now to run the same modelling scenarios that Treasury ran to produce its carbon tax modelling report?

Mr Glyde, the Executive Director of ABARES, the government's own agency, said:

Probably not, in that the third party would need to obtain the GTAP database, which, as we have discussed, is done through a relatively straightforward licence arrangement. But to capture all of the modifications to the database that have been made over the years by ABARES and Treasury—the amplifications for different industry sectors—they would need information that has not yet been publicly released. Therefore, I do not think anyone could replicate the results at the moment.

So I asked the obvious question:

You are saying that, on the basis of the information that has been released so far, the Treasury carbon tax modelling cannot be properly scrutinised by third parties?
Mr Glyde's response was:

At the moment it is not possible to take the current version of GTEM, its data and the assumptions that are there inside it and run the model.

That is really the crux of the issue. The government do not want anyone to scrutinise the credibility of the modelling that they have asked Treasury to conduct. This runs completely counter to everything that has ever been done before. When the Productivity Commission conduct modelling such as this, they make all of their modelling, all of their models, all of the assumptions, all of the databases and all of the underlying information available for proper scrutiny by independent third parties. In fact, before the last election, Minister Sherry, when he was minister with responsibility for the Productivity Commission, sent the Productivity Commission some terms of reference about some modelling they had to do in the context of assessing the impacts and benefits of the Council of Australian Governments' reforms.

In his letter, of 18 June 2010, the minister said:

The frameworks should be transparent, and subject to independent assessment. As far as practicable, the frameworks should be made available for wider use.

The benchmark set by Minister Sherry is not the benchmark that is followed by Treasurer Swan and Minister Combet when it comes to carbon tax modelling. Why is that? Because the government has something to hide, because the impact of the carbon tax on the cost of living will be higher than what the government wants us to believe, because the impact of the carbon tax on jobs will be worse than what the government wants us to believe, because the impact of the carbon tax on real wages will be worse than what the government wants us to believe and because the slowing in the growth of domestic greenhouse gas emissions will be even weaker than the government wants us to believe.

It is important to note that there are no legal commercial barriers to the release of that information. Both the Productivity Commission and ABARES have released the same economic models and underlying information that the government has used for its carbon tax modelling for public scrutiny in the past. The government has not given us any valid reason why it refuses to follow that practice. We as a committee have consistently recommended that the government release all of its modelling before the Senate is asked to vote on the carbon tax and that there should be no legislation before proper investigation, particularly of the government's contested claims about the impact of the carbon tax on the cost of living and the economy.

If a car salesman refused you a test drive or did not let you look under the hood, you would walk off. But the Gillard government is not letting the Australian people look under the hood of its carbon tax modelling. What has the government got to hide? Australians are being denied a vote on the carbon tax and now the government is denying them their right to even look into the basis for the government's assertions underlying the cost of its carbon tax.

We have to remember that, even under the government's own contested global action assumptions, Labor's carbon tax is due to cost the Australian economy $1 trillion over the next 40 years—a figure, incidentally, that was confirmed in Senate estimates by Ms Meghan Quinn. She said 'about $900 billion', which is close enough to the $1 trillion cost to the economy that Professor Ergas talked about in our committee. These are the reasons why the government does not want anyone to be able to properly scrutinise this carbon tax modelling. Treasury is
embarrassed by the government’s action. Treasury and ABARES are now pointing to the government, saying that it is a decision for the government. But this secretive government wants the Senate to pass judgment on this carbon tax without all of the information, and that is an absolute disgrace.

Senator CAMERON (New South Wales) (17:11): This report of the Select Committee on the Scrutiny of New Taxes Secrecy and spin cannot hide carbon tax flaws, presented by the opposition, continues the fraudulent fear campaign undertaken by the opposition on the issue of carbon pricing. They rolled out their tame economist, Professor Henry Ergas, to tell us how we should run the country, to tell us how we should—

Senator Boswell: Madam Deputy President, I rise on a point of order. That reference to Professor Ergas as a ‘tame economist’ is offensive.

The ACTING DEPUTY PRESIDENT (Senator Pratt): Senator Boswell, there is no point of order.

Senator Boswell: Madam Acting Deputy President, there is; you cannot call someone tame, which implies that he is on the take.

The ACTING DEPUTY PRESIDENT: Senator Boswell, you are now putting words into the senator’s mouth. It is not a point of order.

Senator CAMERON: The coalition rolled out their tame economist, Professor Henry Ergas, to present an argument against the Treasury modelling. This is the same Professor Ergas who tries to tell us how to run the economy, when he could not even run his own business. What an absolute joke. This is the same Professor Ergas who wrote the coalition’s tax policy that never saw the light of day. It was so good that it was ditched. So I really do not take much notice of Professor Henry Ergas as some guru, telling government or the Treasury how they should be doing business. That is the first point.

The second point is that climate change denial by the coalition continues. They attempt to build up some conspiracy theory that the same Treasury which did the modelling for the GST, the same Treasury which used the same modelling on the GST, is involved in some kind of conspiracy against the Australian public. I know Senator Birmingham always gets agitated when we talk about climate change, because Senator Birmingham used to actually believe in doing something.

Senator Birmingham: Do you support the GST? Answer the question.

The ACTING DEPUTY PRESIDENT: Senator Cameron has the call, Senator Birmingham. Make your interjections through the chair, please.

Senator CAMERON: Senator Birmingham, you are pathetic. You are not only pathetic in terms of your policy backflips; you are pathetic in terms of trying to tell the chair how to run the show here. It just won’t work. No wonder you are all getting agitated, because what this report does is actually expose the climate change deniers in the coalition. They do not believe that we should do anything about climate change. They do not believe that anything is happening in relation to climate change. They listen to Alan Jones and they come back and regurgitate Alan Jones’s rants on climate change. Senator Birmingham came into this Senate advocating to do something
on climate change, but what do we get from him now? We get backflips—a big backflip on climate change. He has absolutely no credibility. I will not be lectured by Senator Birmingham on climate change or on any position on any issue in this parliament. One of the biggest backflips ever seen in this chamber was this backflip by Senator Birmingham.

When Senator Birmingham came into parliament he did support doing something about climate change. He would have supported the view of the former coalition leader, Malcolm Turnbull, that the market should determine how you deal with climate change. He would support that. But, unfortunately, when the extremists in the National Party—maybe they are one and the same thing—got together and rolled their former leader, Malcolm Turnbull, Senator Birmingham said, 'Well, I'd better ditch all my values, ditch all of the positions I've adopted on climate change and adopt direct action'—a position the coalition puts in this report, a position that has been condemned by anyone who looks at it as absolutely environmentally unachievable and as economic nonsense. That was what came out of this report—that direct action does not work.

We had many people giving evidence on direct action. We had the department basically say that the coalition's abatement figures were nonsense, that they were never going to get any abatement worth anything like what they were seeing. They were saying that their projections of 160 megatonnes of abatement would not be achieved, that their abatement figure is 20 million tonnes shy of reaching a five per cent abatement. What people have to remember is that the coalition have got the same target as the government. The difference between the government and the coalition is that we have got a plan and a policy that will deliver the abatement, and the coalition have got a con job. Malcolm Turnbull said that basically the best thing about it is that you could just close it down.

I know that the coalition always get a bit agitated when you mention their former leader, Malcolm Turnbull, who at least has some principle on this issue—far more principle than Senator Birmingham, who would backflip at the change of a leader. Change the leader; change the policy. That is Senator Birmingham's position—absolutely no credibility. But that is not unusual in the coalition. I respect the National Party because they do not make any bones about not believing in climate change. They do not make any bones about it. They say it is all a nonsense and they stand up and argue that position. Senator Birmingham knows their position is absolute nonsense but will not take them on in the party room, will not take them on in debates on this issue.

**Senator Brandis:** How do you know what goes on in our party room?

**Senator CAMERON:** Because I hear a lot about what happens in your party room. We do know that your party room is riven with division on a whole range of issues. It is riven with division on economic issues, because the National Party are leading you by the nose on economic issues. Imagine: Senator Joyce might be running your economic policy. He demanded that he wanted to run the economic policy, and what happened? The Leader of the Opposition said, 'Oh, Senator Joyce, you can have what you like.' What happened? Six weeks later he had to be sacked. But Senator Joyce will be back. He will out-muscle the Liberals on this. He will be back trying to run the economic policy of Australia, and what a horror story that would be. Imagine the National Party holding the economic levers of this country. The supine, absolutely
hopeless Liberal Party are allowing the National Party to drag them by the nose. We know what is happening in the coalition party room. We know there are debates about who is going to run the show and we know that Senator Joyce wants to run the show and that the Leader of the Opposition will do anything to maintain his position as Leader of the Opposition. The Liberals dislike the Nationals, the Nationals do not like the Liberals, and the Liberals do not like each other. That is the clear position of the coalition. They are an absolute rabble.

This report is simply about trying to ignore the environmental challenges and the economic challenges. It is the Liberals being led around by the nose by the extremists in the Liberal Party and the National Party, who do not believe there is a problem with climate change. You are an absolutely weak bunch of nonentities over there. You are never going to deal with the big issues for this country, because you allow Senator Joyce and the National Party to lead you about by the nose. You do not have the courage, you do not have the conviction and you do not have the backbone to stand up for your own principles. No wonder we call you Backflip Birmingham, because you do not have the backbone to stand up for your own principles.

No wonder we call you Backflip Birmingham, because you have done the biggest backflip ever. You are a disgrace.

Senator BOSWELL (Queensland) (17:22): Madam Acting Deputy President, I have to take exception to Senator Cameron. If people are being led by the nose around this place it is the Labor Party being led by Bob Brown. He is the de facto leader of the Labor Party, unwillingly supported by all Senator Cameron's blue-collar workers, who think they are voting for the Labor Party but in real terms are voting for Bob Brown so he can go over and swan around in Durban and claim that he has solved the problem of a carbon tax.

Senator Ludlam interjecting—

Senator BOSWELL: We can read you guys like an open book. To get back to the case in point, we in Australia are taking a step that is going to cost $33 billion by 2020; that is the economic output by 2020. By 2050 that goes up to $1 trillion. They are not the National Party figures; they are the government figures. They are part of a Treasury source: *Strong growth, low pollution: modelling a carbon price*, chart 5.13. Australia is going into hock for $1 trillion. That is a lot of money. That is $400 for every man, woman and child. Yet, has that been modelled? Only the government and the Treasury know what the modelling is, and the government will not release that modelling. They are sticking to it and they will not release it.

Senator Cormann and I have woken up to them and we have been relentless in our attack to get the truth out. Professor Ergas said it took three months and 10 hours to show that the government would not release the modelling. But we hit a lucky streak. Senator Cormann asked Mr Glyde, who is an honest, straightforward person, whether the modelling could have been done by a third person and he was told no, the modelling could not be done by a third person; it was only Treasury that could have the modelling. Then Ms Quinn belled the cat when she said the most recent public release of the model by ABARES was the model documentation released in 2007. The government was not around in 2007—and if it was it did not have a carbon tax on its mind. What Ms Quinn said was that the model had not been released to 2007. So we have been told the model is not available firstly by Mr Glyde, secondly by Ms Quinn and thirdly by Dr Brian Fisher, a well-known, well-respected economist. Ms Quinn has told the Senate on a number of occasions that the modelling is available, but when people go to get the
modelling it suddenly becomes unavailable. Dr Brian Fisher wrote to Ms Quinn and said, ‘I’m prepared to buy the modelling. I’ll pay for the modelling. You’ve said in Senate estimates that if a person goes down there he can receive the modelling’, but the modelling was not available.

Why will the government not release the modelling? If the modelling came up with the same equations and the same predictions as the Labor Party and it was positive, I can tell you it would be in a shiny, glossy document and put out in a drop to every letterbox. But the government will not release the modelling because it knows that if someone else, like Fisher or McKibbin or Ergas, gets the modelling and they can put a different set of assumptions in there, then the modelling is going to throw it out—costs will go higher, more jobs will be lost, people will lose businesses, more business will go offshore. That is why the modelling will never be released.

How can anyone expect, when someone is going to spend $1 trillion—$40,000 for every man, woman and child—that it not be audited? You would not sell $30 or $40 worth of anything unless that was audited in your stock. Why is the government so frightened? I will tell you why they are frightened: the rest of the world is avoiding this ETS like the plague. The foreign affairs minister from Canada was out here the other day. He called it pyramid selling. He said, ‘I won an election on this. We wiped the opposition out by saying we won't have a carbon tax.’ He said America is not going to do it, Japan is not going to do it, India is not going to do it, China is not doing it, nor are the Philippines or Indonesia. If this thing is to fly, everyone has got to do it. You cannot ask these people to put themselves permanently into a situation where they are completely losing money and it is going to cost them more—

An opposition senator: Poverty.

Senator BOSWELL: Complete poverty is the word I am looking for; thank you. That is why the government will not release the modelling. They know that once that modelling goes out and independent modellers use the modelling the game is up. Well, the game is up now. The 17 bills that we are debating today are the longest suicide note that the Labor Party has ever produced.

One thing I will say about the Labor Party is that they are loyal. They will follow a leader over the cliff. They will follow Bob Brown anywhere. Bob Brown is the leader. If anyone doubts that, Bob Brown wanted these bills to go through so he can go over to Durban, prance around at the climate change meeting and tell everyone how he led the federal government into the first genuine emissions trading scheme in the world. Well, he did it. He is the slickest salesman and he has the most vulnerable people following him around. They must have seen you guys in the Labor Party coming. They must have seen you coming, for you to fall for this. How could you fall for this? How could you betray your blue-collar workers? Everyone in parliament knows the reason Australia can employ people in industries is that we have always had low energy costs. That is why we have been able to employ people, but that is all going now.

This is almost fraudulent. In fact it is not almost fraudulent—it is fraudulent. People are asked to spend $1 trillion and no-one is allowed to audit the program. That is outrageous. That is unbelievable. Senator Cormann and I asked Senator Wong five times—I counted—whether she would release the modelling and five times she avoided the question. She told us she had released millions of pages, and she probably has. The more pages you release the better. It is an old trick to confuse people. The Labor
Party are trying to confuse us. Instead of releasing the model, instead of giving the McKibbins, Fishers and Ergases the chance to model this, they are holding it close to themselves. If you tried to hide something from the auditor you would go to jail, and yet they are trying to hide $1 trillion from independent sources to stop them doing the modelling. There are many people who want to do this modelling—business groups, industry groups, mining groups, independent auditors, independent economists—but they cannot get it. They cannot get it because the modelling says everything will happen in 2016, everyone will be on board and everyone will have a carbon tax or a similar proposition. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Treaties Committee
Report
Senator BIRMINGHAM (South Australia) (17:32): I present the 121st report of the Joint Standing Committee on Treaties, on a treaty tabled on 16 August 2011.

Ordered that the report be printed.

Senator BIRMINGHAM: by leave—I move:

That the Senate take note of the report.

I am pleased to present the Joint Standing Committee on Treaties report No. 121, which contains the committee's views on the Agreement between the Government of Australia and the Government of the United States of America Relating to the Operation of and Access to an Australian Naval Communication Station at North West Cape in Western Australia, done at Washington on 16 July 2008, which was tabled in this parliament on 16 August 2011. This proposed agreement is intended to replace the Agreement between the Government of the Commonwealth of Australia and the Government of the United States of America relating to the Establishment of the United States Naval Communications Station in Australia, originally done at Canberra on 9 May 1963.

The fact that it is replacing a 1963 agreement demonstrates the length of the operation of this base and the relevance and ongoing importance of it to Australia's defence operations and to our defence relationship with the United States. The 1963 agreement provided for the establishment, maintenance and operation by the United States of a naval communication station in Australia, at the North West Cape in WA. This agreement was terminated in May 1999 and since then an interim arrangement applied until a new treaty was concluded. That, of course, is the treaty that we are considering today. The proposed new agreement will remain in force for an initial period of 25 years and, unless terminated earlier, shall then continue for subsequent periods of five years.

The new agreement provides for continued access to and use of this station. The station is officially known as the Harold E Holt Naval Communication Station—and I shall avoid making any obvious puns or remarks about the relevance of a station providing communications support to submarine activities named after the former Prime Minister Harold Holt. Nonetheless, the agreement provides continued access to and use of this station to the United States and, consequently, the means through which very low frequency, or VLF, communication for United States and Australian submarines may be maintained. Continuing US access to the station will help support the maintenance of a strong and adaptable US presence in the Asia-Pacific region. As I said before, it is also an important indication of the continuing commitment of the US government to regional cooperation and of Australia's...
continued commitment to working with the United States in that regional cooperation.

The station's capacity for communicating with submerged submarines in the Indian Ocean is unique in our region and therefore it is a vital element in enabling Australian use of other VLF transmitters to communicate with Australian submarines. This is not a one-way street relationship. This is the only station of its sort on Australian soil that allows such VLF communications with our submarines. It transmits into the Indian Ocean region. When our submarines operate in other areas they frequently use facilities that are used, owned or operated by the United States, the United Kingdom or other allies based on the soils of other countries. It shows the importance of integration in these areas of cooperation. As I indicated, the committee recognised that the station is part of an integrated network of communication stations and that the Australian Navy is reliant upon VLF transmitters provided by other bases operated by the US in other countries to communicate with Australian submarines worldwide. The committee heard, and highlights in its report, that it was important to accept this treaty and that it should be part of our ongoing relations and operations. Evidence provided by the Department of Defence to the committee indicated that the continued access and use of the station by the US, and consequently the means through which VLF communication for US and Australian submarines may be maintained, is critical and is afforded by this treaty. According to the Department of Defence, continuing US access to the station will help support the maintenance of a strong and adaptable US presence in the Asia-Pacific region and is an important indication of the continuing commitment of the US government to regional cooperation. The committee went on to highlight that the station's capacity to communicate with submerged submarines in the Indian Ocean is, as I said before, unique in our region. The Department of Defence argued strongly that hosting the facility was an important element in enabling Australian use of other VLF transmitters to communicate with Australian submarines in the Pacific and Arctic oceans in particular.

The committee did conclude its remarks by indicating support for the ratification of this treaty. We did so recognising that it was an important part of the continued defence relationship between Australia and the United States and that cooperation over the Harold E Holt Naval Communication Station represents a tangible expression of that defence relationship. The committee also recognised that this is part of an integrated network of communication stations and that the Royal Australian Navy is very reliant upon VLF transmitters provided by other bases operated by the United States in other countries to communicate with Australian submarines operating beyond the Indian Ocean range of this station. That is a fundamental reason for support.

We did note concerns about the support of nuclear armed submarines as part of this and heard and received some evidence of concern in that regard. The committee did draw to the government's attention that in the future there is the possibility of conflict between this proposed agreement and any agreement that establishes a Southern Hemisphere nuclear-free zone. I would highlight to the government that the committee did ask it to specifically address how such a possible conflict may be reconciled without in any way diminishing the Australian government's efforts to promote disarmament and the abolition of nuclear weapons.

These are remarks that the Australian Greens particularly picked up on in their
dissenting report. I am sure that Senator Ludlam will speak to that. I know that Senator Ludlam brings to issues of nonproliferation and disarmament of nuclear weapons a very sincere approach. I have been pleased to work with him on some of those matters, including the more detailed work of the treaties committee in that regard. Nonetheless, when I read the Greens' dissenting report, I was struck by the first paragraph. I am not sure whether Senator Ludlam had some assistance from his colleagues in drafting that first paragraph because it states, 'The North West Cape naval communication base attracted controversy and protest during the Cold War due to the role it played as a command and control communications centre for US nuclear submarine warfare against the Soviet Union.' I see that Senator Ludlam has recently been joined in the chamber by Senator Rhiannon, who has some historical ties to the Soviet Union, which used to fund her writings and editorial activities through the Survey magazine in the 1980s. I would hope that there is no insinuation in those remarks that the Australian Greens think that perhaps the wrong side won the Cold War. We on this side of the chamber and Senator Feeney on that side of the chamber are very happy with the people who came out on top of the Cold War and recognise that our support of and cooperation with the US was probably quite important to that over a long and sustained period of time.

Flippancy aside, this is an important agreement. The issues raised by Senator Ludlam are also important and they do deserve the government's response. The government should address exactly how this treaty will work in the future in terms of their own policy commitment to nuclear nonproliferation and disarmament. The committee overall accepts that this is a genuine area of mutual cooperation in defence activities that assists in meeting the operational requirements of Australia's Defence Force. These are important matters and that is why we think this treaty deserves support and ratification by the government.

We note that, after the expiration of the previous treaty and before the successful negotiation of this treaty, there was a period of negotiation between the two governments and some private agreements were struck in that period of time that are matters of sensitivity. We trust that they only support the operation of this treaty and the base station and address the small issues in relation to its ultimate clean-up, the use of facilities and the future handling or ownership of assets in that regard. In closing, I commend the report of the treaties committee to the chamber and commend the ratification, as the committee does, of this treaty.

**Senator LUDLAM** (Western Australia) (17:43): I rise to make some additional comments on the 121st report of the Joint Standing Committee on Treaties. I acknowledge Senator Birmingham's backhanded compliments to me as a longstanding colleague on this committee while repudiating the rude and undignified shot that he just took at my colleague Senator Rhiannon. Senator Birmingham, you and I are fortunate to be young enough not to have gone through the Cold War, when people quite literally lived in fear that their allies were going to incinerate each other one afternoon in an exchange of nuclear weapons. I did march, and perhaps you did as well, with my parents on Palm Sunday when 20,000 or 30,000 people streamed down St Georges Terrace. I can really only give thanks to people in the global peace movement who dedicated their lives to ridding the world of these weapons. Many of them have been demobilised over the last 10 or 15 years.
Senator Brandis: They weren't the ones who rid the world of nuclear weapons. They were the ones who wanted to disarm the West.

Senator Siewert: We sat and listened to you in silence. How about you do the same?

The ACTING DEPUTY PRESIDENT (Senator Back): Order! Senators will accord Senator Ludlam the courtesy of listening in silence. Senator Ludlam, resume.

Senator LUDLAM: We contributed to a dissenting report on this matter for some of these same reasons. We are not really satisfied that the agreement between the government of Australia and the government of the United States of America relating to the operation of and access to this communication station at North West Cape is good enough. Senators will be aware that the base sits right on Ningaloo Reef, which is Western Australia's Great Barrier Reef. I spoke about the risks faced by Ningaloo Reef due to climate change earlier today during the carbon debate. The North West Cape base emits very low frequency communications, and these are of abiding concern to marine biologists and environmental campaigners due to the possible ecological impacts of these sound waves on creatures that inhabit this precious marine sanctuary.

As we learned through the inquiry, there is disagreement between the US government and Australia on a couple of matters. For over 10 years it has been very difficult to tell who is responsible for cleaning up contaminated sites up there, and while that situation exists we have asbestos and quite serious diesel contamination of the groundwater very close to one of Australia's most important marine parks. The national interest analysis also states that there are unresolved issues on the worth of assets at the base. We are about to enter into another 25-year agreement—should we not perhaps clear up whether this thing is an asset or liability, and which of the two governments holds those? The Australian Greens believe that a new agreement should not be entered into before these matters are cleared up.

The base did attract controversy—here is this paragraph again, Senator Birmingham—during the Cold War in the role it played as a command control and communications centre for US submarine warfare against the Soviet Union. These are ballistic missile submarines whose entire purpose for being constructed and operated is to cruise the world's oceans completely out of sight, in communication only with bases such as this one, in the event that military or political commanders either in the US or in the former Soviet Union decide one afternoon to end civilisation. They are there in the event that someone decides to incinerate civilisation with nuclear weapons. That is their purpose; that is what they are for.

Senator Brandis: What about the deterrence?

Senator LUDLAM: As we learned during the hearing, it is still, 'Oh, because of nuclear weapons, that's what it is.'

Senator Ian Macdonald: That is why you are here today, because of the deterrence.

Senator LUDLAM: Senator Macdonald, the less we hear from you the better this will go.

The ACTING DEPUTY PRESIDENT: Senator Ludlam, direct your comments through the chair, if you will.

Senator LUDLAM: Yes, thank you. As we learned during the hearing, the base facilitates, enable and support nuclear armed submarines, which are an attack and defensive weapons platform. There is no real doctrine which says that these are defensive weapons. The credibility of Australia's
efforts to push for action on nuclear disarmament at the global level is greatly reduced when we lend ports infrastructure and personnel to legitimising the retention and deployment of these weapons. This, of course, is another reason why the Greens do not believe that this treaty should be adopted in its current form.

I acknowledge that the JSCOT committee, which did a comprehensive and unanimous report on nuclear disarmament issues some time ago and which Senator Macdonald's party signed onto, did seriously engage with the question of nuclear weapons in its inquiry and report. The committee noted in this report that the proposed 25-year agreement may pose a conflicting obligation should nuclear disarmament diplomacy advance within this timeframe. In other words, this agreement, it is to be hoped and acknowledged by this report, may outlast the security arrangements which preceded it, in that we may not need to keep these horrific weapons in the field for another 25 years. It is a pity that the committee refused to acknowledge that allowing nuclear weapon states to continue business as usual deters any action towards disarmament. As long as Australia continues to lend weight and credence to the idea that nuclear weapons bring security by participating in the US nuclear weapons umbrella, and allowing bases on our soil to facilitate the nuclear weapons apparatus, we are missing an opportunity to demonstrate that giving a reduced role to nuclear weapons is practically achievable and need not result in damaged alliances.

Senator Ian Macdonald: Did your colleague ever think that the Russians were going to get rid of their nuclear weapons?

Senator LUDLAM: Senator Macdonald, I will take that interjection, because the former Soviet Union and now the Russian government have demobilised an enormous number of strategic nuclear weapons—there are far fewer than there were before.

I put a number of questions to the Minister for Defence on 27 June—I thank him for the responses—to try to tease out precisely what role these weapons, which are quite literally weapons of genocide, play in Australia’s security policy. There have been, over modern Australian history, a few tentative moves to develop them for ourselves, but fortunately sanity prevailed and that has never occurred, although we know that was one of the rationales for the construction of the Lucas Heights reactor in Sydney. I put those questions to the Minister for Defence to get a sense of where Australian military doctrine stands on the issue of nuclear weapons under the US nuclear umbrella in 2011. Some of the responses are quite detailed. In part (4), they state:

For the time being, Australia accepts that nuclear weapons are part of the strategic environment.

Australian defence policy acknowledges the value to Australia of the protection afforded by extended nuclear deterrence under the US Alliance. This is, as Senator Brandis was yelling across the chamber before, the policy of nuclear deterrence; if we have them we will deter the use of nuclear weapons by hostile countries. In the wonderful, bipolar world which these gentlemen who are—

Opposition senators interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Birmingham was heard in silence.

Senator LUDLAM: He was. They are continuing to heckle in a most undignified way. What has happened is that the construction and use of these weapons and the testing of these weapons has simply bred more. The Soviet Union got them because
the United States had them. Once the Soviet Union got them, India, Pakistan and China got them. Now Israel holds them, and we have reason to believe that even the Burmese government is engaging in a covert weapons program.

Senator Feeney: And Iran.

Senator LUDLAM: Iran, thank you, Senator Feeney. And who could forget the United Kingdom and France? We do not have a stable, bipolar situation any more with two rational governments facing off across western Europe to its great misfortune. We have these weapons potentially in the hands of non-state actors, for whom deterrence is a joke. We have them in the hands of highly unstable regimes such as Pakistan. I wonder how the senators who have taken the time to come down here this afternoon and heckle about the idea of disarming the world of these horrific devices would feel if we came in here one morning to hear that one of these weapons had been detonated. We have lived in this extraordinary period of the last few decades where some survival instinct has kept the finger off the button. We must never take that for granted, as we have seen some examples of this afternoon. For some reason we feel that it is sensible and sane and part of an ordinary and entirely rational military doctrine to hold tens of thousands of weapons that could end civilisation in an afternoon; for some reason we feel this is somehow a great idea. I find it completely dumbfounding that this obsolete Cold War logic has followed us all the way to 2011. The Greens believe that the US government and Australia should not collaborate on support for nuclear weapons to be floating around the world on ballistic missile submarines. I acknowledge that the former Prime Minister, now the Minister for Foreign Affairs, Kevin Rudd, has poured a huge amount of energy into these endeavours and has seriously tried to move the international debate forward. But at the same time that is occurring it is being undermined by the efforts of the global uranium mining industry and by precisely the response we had from the defence ministry that while trying to abolish these weapons we somehow believe there is still a place for them in Australia's defence and security doctrine. There is no place in the defence doctrine of any country in the world for weapons as horrific as these. I think having an honest conversation about removing the US nuclear weapons umbrella from Australia's security policy would strengthen, not destroy, our alliance with the United States.

Senator FAWCETT (South Australia) (17:53): I rise to address report No. 121 of the Joint Standing Committee on Treaties on the Harold E Holt Naval Communication Station at Exmouth. My colleagues have detailed the background to this treaty and the fact that it replaces a treaty that was struck before the facility was commissioned in 1967. Essentially, it extends the existing conditions of joint use whereby there is full disclosure and knowledge of what is occurring in that facility, which works to the benefit of both the United States and Australia.

Particularly in light of some of the comments made by my colleague Senator Ludlam, I would like to talk a little more broadly about our relationship with the United States and some of the benefits of having these agreements on shared use facilities. At the moment much is being made of the fact that the United States is facing a period of economic difficulty and there is considerable drawdown in its defence spending. At the same time, regional powers, whether they be China or India, are facing periods of significant growth and expanding influence. Those who read papers dealing with defence and strategy will have seen a deal of writing just recently on the
expansion of the Chinese navy and their bluewater capability. The US Secretary of Defence, Mr Panetta, has been working in the region recently and looking at the expansion of the Chinese navy and their operations through the East and South China Seas. And the Indian Navy, for example, reports some interaction now with the Chinese navy. So there are many people who argue that if our economic dependence on China is increasing and they are an increasingly important player in the region then surely our relationship with the United States should change, and some people would even argue it should decrease. There are many people, though, who are studying this area in great detail and who argue completely the opposite—who say that the best outcome for the region would be for the United States to continue a strong engagement in the region and that that in fact would be welcomed by the Chinese.

One of China's great concerns is our North West Shelf project, the Gorgon development and the Guangdong agreement. The plan is that some 10 per cent of China's energy needs will be met by that region by 2020, so from an energy security perspective they have great concern about what happens in trade routes and what happens in this region. Clearly, if there are strong relationships between the United States and Australia in our region and security in the trade routes around the Malacca Straits et cetera then it removes an uncertainty from their perspective and removes a reason for them to extend even further the activities of their naval fleet, with its increasing capability. That then adds a deal of security and certainty to regional nations in terms of the balance of powers, stability and their own need to expend moneys on defence. In that context, I welcome not only the tabling of this treaty but also the fact that we are looking at AUSMIN discussions between Australia and the United States on increasing cooperation in Australia for training areas and bases, whether that is up in the Northern Territory at the Bradshaw training area, at HMAS Stirling or access to other bases.

There is a real opportunity here for us to build a new relationship with America. The ANZUS alliance, since 1951, has been the basis of our engagement with the States, and that specifically had its origins in this issue of regional stability. Post World War II, particularly in light of the Korean War, the Americans were very concerned to allow Japan to re-engage with the international community and to rearm. It was the nervousness of regional nations such as Australia and New Zealand that led to the ANZUS alliance being signed, such that we felt comfortable that in a regional sense countries could re-emerge.

What we see now is the emergence of new powers in the region, so the ANZUS alliance and a relationship with the States has increasing importance. Signing agreements like this one on the Harold E Holt Communication Station, I believe, is just the first step in renewing the relationship with the US. We should be embracing the fact that they are looking for opportunities. Secretary of State Hillary Clinton, in the November issue of Foreign Policy magazine, says that one of the most important things for the United States to do in the coming years is to reinvigorate and invest in its relationships and strategic partnerships in the Asia-Pacific region.

We have the opportunity not only to engage in a meaningful and strategic manner with their military but also to make sure that there is a benefit to both our defence capability and our industry capability. If we are operating common platforms, there is no reason why we should not be able to include in those agreements areas where our industry
capacity can be involved in the through-life support of maritime, land and air assets. That enables a sustainable base of work to supply and support our own military as well as growth opportunities and transfer of technology opportunities from the United States to our industry.

There are real opportunities here to bring greater stability to our region, greater benefit to our industry and better cooperation and certainty for our military and those of our regional neighbours through an intentional and close cooperation with the United States. It is for that reason that I am very happy to support the recommendation of this report, which is that the Agreement between the Government of Australia and the Government of the United States relating to the Operation of and Access to an Australian Naval Communication Station at North West Cape in Western Australia, which was done in Washington in 2008, be done, and that binding treaty action be taken.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

DOCUMENTS
Tabling
The Clerk: Documents are tabled in accordance with the list circulated to senators.

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

BILLS
National Vocational Education and Training Regulator Amendment Bill 2011
Returned from the House of Representatives

Message received from the House of Representatives returning the bill without amendment.

Social Security Amendment (Student Income Support Reforms) Bill 2011
First Reading
Bill received from the House of Representatives.

Senator FEENEY: 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 FEENEY (Victoria—Parliamentary Secretary for Defence) (18:01): I move:
That this bill be now read a second time.
I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

The Social Security Amendment (Student Income Support Reforms) Bill 2011 will provide additional assistance for young people from regional Australia who need to leave home to study after secondary school.

The Australian government is committed to reforming higher education and, in particular, increasing students’ access to university.

Higher Education is central to achieving the government’s vision of a stronger, fairer and more productive nation.

Following last year’s reforms to student income support, many more young people, particularly those from families with low income, are accessing youth allowance while they study at university.

The amendments included in this bill follow consideration of the recommendations of the independent Review of Student Income Support Reforms conducted by Professor Kwong Lee Dow AM.

Professor Lee Dow brought to the review his considerable experience in higher education, his expertise in regional education issues and
sensitivity to the challenges faced by regional students and their families in accessing further study.

On behalf of the government I would like to thank Professor Lee Dow for his report which presents a balanced consideration of the needs of young people from low socioeconomic families and those whose distance from major cities limits their range of opportunities for a university education.

The report of the Review of Student Income Support Reforms recognises that the policy settings put in place by this government in 2010 following the Bradley Review into Australian Higher Education have been working.

The impact of the reforms has been measurable with more students qualifying for assistance, especially young people from low to middle income families.

The reforms have also had a positive impact on families from regional and remote areas of Australia with more young people who need to live away from home being able to access student income support.

In fact, figures recently released by the government show that since March 2010 the number of students from low and middle income backgrounds has increased by 21,000.

Also, since March 2010, the number of independent youth allowance recipients has increased by 29,000 due to the lowering of the age of independence from 25 to 23.

Overall, under the government's reforms, 160,000 students are accessing youth Allowance—up from 135,000—representing an 18 per cent increase in just over a year.

The report also notes that regional participation rates still lag behind those of metropolitan higher education students.

The strongest theme in submissions and consultations during the review was the additional cost incurred by students in relocating for study.

With course availability at local institutions often limited or lack of readily accessible institutions, many rural and regional students need to move away from home to study their chosen course and, therefore, require extra assistance, often beyond the first year.

While the government has made—and continues to make—significant investment to develop regional universities and broaden the educational options of regional students, more could be done to help young people from regional and remote Australia to take up the same options for university study as students from the major cities.

However, any assistance for regional students must also retain a focus on the needs of students from low socioeconomic backgrounds.

Following consideration of the report of the Review of Student Income Support reforms, the government announced a package of additional measures which will increase access to, and better target, income support for students who need it most, through a fairer and more equitable allocation of resources. This package constitutes the government's response to the review.

The government has chosen not to adopt all of the recommendations from the report. The proposed self-supporting criterion for independence for young people could be viewed as narrowing workforce independence rules for students and further delaying their entry to tertiary education.

Instead, the government will provide improved access to higher education for regional students through changes to the independence criteria for young people from Inner Regional Australia seeking access to youth allowance, while continuing to provide support for students from low socioeconomic backgrounds.

From 1 January 2012, students from inner regional areas will have access to the more generous part-time and earnings workforce participation for independent youth allowance, currently available to outer regional, remote and very remote students who need to live away from home to study after completing secondary school, and whose parents earn less than $150,000 per annum.

With this amendment, approximately 5,500 additional young people will be able to access independent rates of youth allowance payments.
This delivers on the government's commitment to remove distinctions between students from inner regional and outer regional areas, and recognises that the additional barriers and costs faced by young people from all areas of regional Australia in accessing education.

The government's 2010 reforms acknowledged and sought to address the financial hardships faced by students required to move away from home to study at university with the provision of relocation scholarships for eligible dependent students and small numbers of independent students disadvantaged by their personal circumstances.

The government is resetting the value of relocation scholarships to provide extra support for eligible students from regional areas. In any year, there will be around 15,000 students who are benefitting from this change over the period of their degree.

The bill amends relocation scholarships in 2012 for eligible regional students who are required to live away from home to study to $4,000 in the first year, $2,000 in each of the second and third years and $1,000 in subsequent years of study.

For eligible students from major cities, the 2012 values will be $4,000 in the first year they are required to live away from home to study and $1,000 in subsequent years of study.

These amounts will be indexed from 2013 and there are no changes to eligibility criteria.

The government's response to the Lee Dow Review also includes several measures which do not require legislation.

There will be a feasibility and merit study of an income-contingent loan scheme to assist students required to live away from home to undertake formal clinical placements, or other formal practicum periods as part of their course; triennial reviews of student income support to assess the overall effectiveness of the schemes in reducing financial barriers to participation of students in need; and an ongoing education strategy to ensure young people and their families are aware of their options for financial assistance as they prepare to enter tertiary education.

This is a fiscally responsible package. The cost of these measures will be met within existing funds, and represent no additional cost to the Australian government and taxpayers.

As well as resetting the value of relocation scholarships, there is a small reduction in the value of Student Start-up Scholarships from 1 January 2012.

The value of the Start-Up Scholarship from 1 January 2012 will be $2,050 for all eligible students, and this amount will continue to be indexed annually thereafter.

As recommended by the review, the bill also provides for the cessation of the Rural Tertiary Hardship Fund given the additional financial support being in the package for rural and regional students.

The Government is also deferring to 1 January 2014 the extension of income support to cover all master's by coursework degrees.

Existing arrangements will continue for approval for student income support of individual master's by coursework degrees which are professionally oriented will continue.

The Department of Education, Employment and Workplace Relations has already invited universities to submit additional courses for approval for 2012.

The bill amends the social security law to facilitate these measures and make several technical amendments.

These measures are part of the government's commitment to open doors to higher education for young Australians, drawing on the Bradley and Lee Dow Reviews.

The government is maintaining its emphasis on support for students from low socioeconomic backgrounds while also seeking to provide greater assistance to young people from regional areas where participation rates—though improved—remain significantly below metropolitan areas.

This package also meets the government's commitment to remove regional eligibility distinctions for Youth Allowance from 2012.

The government's changes to student income support will ensure that assistance continues to be directed at the students who need it most.
Debate adjourned.

COMMITTEES
Community Affairs References Committee
Report

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:02): I present the final report of the Community Affairs References Committee inquiry into Commonwealth funding and administration of mental health 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 this report.

This inquiry has received a great deal of attention and a large number of submissions—in fact, 1,500 submissions. We received a lot of form letters and other correspondence and additional information. We will be presenting some more submissions subsequent to the tabling of this report, because we have had so many. This inquiry, as the title suggests, was into the government's funding and administration of mental health services in Australia. We particularly focused on the budget measures. Although the inquiry looked at other issues, the submissions we received predominantly chose to address the terms of reference related to the budget measures.

I am tabling today a majority report. That majority report details the evidence the committee received. The community affairs committee strives, whenever it can, to reach consensus on its reports. Unfortunately, on this one it did not. Although the majority agreed on the evidence, the committee has disagreed on the recommendations around that evidence. So I am tabling the majority report plus a series of additional comments and dissenting reports around the evidence. I am also tabling, as chair, additional comments. That contains recommendations flowing from the evidence. I have considered the evidence very carefully and will go very quickly into some of the recommendations.

For those who do not know what the Better Access initiative is, it means better access to psychiatrists, psychologists and GPs through the MBS. The initiative was introduced in 2006 by the Howard government. It is a very popular initiative and has provided a lot of support and treatment to large numbers of Australians. Its initial aim was high-prevalence disorders, but it is now used by a wide range of people, particularly those experiencing and suffering from severe symptoms. Although there is a lot of dispute around whether Better Access should be treating people with such severe symptoms, the fact is that it is treating those people. ATAPS—Access to Allied Psychological Services—is also a broadly used and supported initiative in the community. There is absolutely no doubt that both these programs enjoy a wide range of support in the community.

The government's changes to Better Access, which limit a number of services, amongst other things, have caused a great deal of concern in the community. Because the government, through the changes in the budget, is seeking to limit and reduce the number of services from what is currently available, from 18 to 10, there is a great deal of concern that a number of people will miss out on access to services. I can understand the government's intent to change this to better focus the mental health programs and to increase funding. However, I must admit that I do support the concern of the community. Some of the other programs the government wants to put in place are not available yet; the changes come into effect as of today. I believe that the changes to Better Access need to be delayed until it can be
demonstrated that other programs, such as ATAPS, are adequately equipped to provide services to people with a severe or persistent mental illness. I also believe that the government should consider putting in place an interim program through MBS that would allow access to an additional six services under Better Access for consumers who meet tightened criteria based on the severity of their condition. In other words, those people that need the additional services would have somewhere to go while the government's changes are being put in place. Although there are changes coming through to ATAPS—and I think that concept enjoys broad community support—the simple fact is that either the Medicare Locals or the GP divisions, depending on where Medicare Locals have been rolled out, are simply not ready to roll out the additional changes to ATAPS. So there will be a gap in services provided to people who need support with mental health services. Therefore I believe that the evidence supports delaying the rollout of these changes until the government can guarantee continuity of care.

I know other senators wish to speak, so I will finish by thanking my fellow senators for dealing with these very complex issues in a manner which allowed us to remain working together and talking, even though we did not reach consensus. I would also very strongly like to thank the secretariat. This year the community affairs committee secretariat have had a great deal of work. We have had a number of long, wide-ranging inquiries, and they pulled together this report in a limited amount of time. I thank them very much for the efforts that they have put in to ensure that we were able to report today. Thank you.

Senator FIERRAVANTI-WELLS (New South Wales) (18:08): I rise to speak on the tabling of the report of the Community Affairs References Committee inquiry into the funding and administration of mental health services and, in particular, the dissenting report by coalition senators. What we set out to do in our report was to talk about, as Senator Siewert said, the primary changes. One of the main reasons why the coalition was keen to establish this inquiry was the changes that were being effected to Better Access. As a consequence of that, it was quite a broad-ranging inquiry into the funding and administration of mental health services.

As part of the coalition's dissenting report, we go back to 2006 and to the Howard initiatives and why Better Access was established. Let us not forget that Better Access was part of a broader package of $1.9 billion that went to help people access mental health services. We did not discriminate against people with mild to moderate or severe mental illness. In our report, we traverse the background to this. But we also underline that the evaluation that was undertaken by the government, which took two years to do, was not a good evaluation. It was an evaluation that was based, unfortunately, on bad methodology and a dataset that was very critical. Our concern is that this evaluation did not actually test and evaluate the original objectives of the Better Access initiative. We set that out in our report. Many of the findings of that evaluation are actually qualified. At past estimates, we have been very critical of the government in relation to that evaluation. The reason why we have done this is that clearly the government has used this evaluation to cut Better Access. Our criticism of the government on this front is that, in effect, this was a cost-cutting measure and there is a real question whether this evaluation was set up to fail so that it could be simply used to justify these cuts.

We also in our report look at the history of the government's National Advisory Council
on Mental Health and we traverse Professor John Mendoza's involvement in that and the fact that Professor Mendoza resigned, criticising the then Rudd government for its lack of action on mental health. The importance of this was that the Minister for Mental Health and Ageing, Minister Butler, instead of finding a new chair, set himself up as the chair of his own advisory council. How can you have an advisory council to the minister with the minister himself chairing that advisory council?

We look at these changes and we also look at the fact that, as part of this process, the government set up, on top of its council, an expert group. This expert group was criticised because it appeared to have access to information, and it appears that this expert group did give some advice in relation to these cuts. This not only led to confusion in the mental health sector but actually brought into question the point of the council and the transparency of the whole process.

One of the things that cause us concern is that nowhere in the evaluation that was done of Better Access is there justification for these cuts. We traverse in our report the fact that it is clear that about 87,000 people are going to be affected by these cuts. There is concern that these people, who will no longer have access under Better Access, will then be forced onto ATAPS, and there is then a question as to whether the ATAPS program, the Access to Allied Psychological Services program, is equipped to provide the service to those patients.

In our report, we look at what ATAPS is currently doing. We examine criticism of the ATAPS program by the ANAO, the Australian National Audit Office, which undertook an independent audit of the ATAPS program. Our concern throughout all of this is the impact that it is going to have on existing services. As with many other things in health, the minister and the government have acted before they have properly consulted the very people who needed to be consulted about these very major changes. There is no doubt that there are going to be a lot of services withdrawn from the system. A lot of money has been taken out of Better Access. The government has failed to assess the impact of these changes on existing programs—for example, headspace. We had evidence from headspace. We also had evidence in relation to EPPIC, the Early Psychosis Prevention and Intervention Centre. Yes, the government has indicated that it will expand EPPIC. But—and there is always a 'but' with this government—it will be if the states and territories come on board. That is unlike the coalition. Our commitment is to 20 early psychosis intervention centres, which will be funded by the Commonwealth, in addition to 800 mental health beds and 60 additional youth headspace sites. That was the basis of the coalition's $1.5 billion investment in mental health promised at the last federal election.

The coalition has been very strident in its criticism of the government's lack of action in mental health. It is very clear that this government has been forced kicking and screaming into taking action in mental health. Let us not forget that the Senate passed a motion in October last year calling on the government to implement these very measures. Then that same motion passed the House of Representatives in November last year. For the record, in April the Leader of the Opposition and I made further announcements of a $432 million spend in mental health to take the total spend to $1.2 billion.

In relation to headspace and EPPIC, it is important to see how these headspace and EPPIC centres roll out in conjunction with the other services before we take arbitrary decisions to cut services without carefully considering not only the impact but how this
government is going to monitor the impact of these changes on patients.

Our report concluded with some comments in relation to the National Mental Health Commission and the two-tiered Medicare rebate system for psychologists, which certainly generated a lot of submissions and excitement in the professions. It is unfortunate that, at a time when one in five Australians need assistance because of some sort of mental health issue, our psychologists demonstrated that there is a division within their profession. The coalition makes certain suggestions in relation to a way forward, such as potentially referring the issue of a two-tiered system to the Australian Health Practitioner Regulation Agency for further consideration.

I would like to end my comments on the subject of the National Mental Health Commission. Yes, the government has said that it is going to have a National Mental Health Commission. But it will certainly not be the independent body that so many in the sector have been advocating. Many submitters indicated that the National Mental Health Commission must be independent and must be outside government in order to fulfil its proper function of scrutiny of the sector and advice to the government. I want to repeat the coalition's concerns about the appointment of Monsignor Cappo to the National Mental Health Commission and the issues that that generated. Most importantly, I want to repeat the coalition's concerns about the lack of transparency and the lack of proper processes, which appear not to have been addressed in relation to not only Monsignor Cappo's appointment but also the appointment of the commissioners and indeed his successor. The coalition remains committed to the reform of mental health, but that reform must be undertaken with consultation, which is what this government has not done. (Time expired)

Senator MOORE (Queensland) (18:18): This report on mental health shows that there is a general shared concern in our community that there be effective mental health care. The very fact that we had to have so much discussion and came up with a unique result—I am not aware of three separate reports coming from one process before—indicates that there is a great deal of dynamic tension about the best way to respond to the mental health needs of the community. This is unlike—and I want to just once draw this to the attention of the Senate—the situation in 2006, when the previous government brought out their mental health plan. The people in the opposition had great concerns about some of the things being done. We took a bipartisan approach to that and worked together to ensure that the budget for mental health was effective. Any differences that we may have had on policy direction were worked through. That is different to what seems to be happening a little bit at this time.

The government in the 2011-12 budget delivered a package with one key message: that we needed to do more to help Australians with mental health issues. It is important that when people have issues they can get the help that they and their families need there and then. It is most important when looking at the whole mental health package to look at the role of carers and families. If you look at the submissions that our committee received, there were significant questions raised by people involved in caring for relatives and friends. They are demanding to have greater engagement in policy development and to have their needs addressed as well.

There was a great deal of agreement in the process that we went through. But the core point of disagreement was around the repositioning of the budget. The government were very clear and very open about what
they had done in terms of investment in mental health in the budget. They had reassessed and rebalanced the money. Money was being withdrawn from two key areas, the Better Access program and the rebate given to providers for their mental health sessions. The idea was that the money that was being taken from those areas was going to be reinvested so that people across the country would have greater access to the services that they needed. This was not saying that Better Access as a program was not working effectively, and this was not saying that the GPs involved were not giving good service to their clients. It is important to put on record that the issue of consultation comes up in just about every inquiry that we have. There will always need to be more innovative ways to consult effectively with people who have needs in any area. But it is just wrong to say that the government did not have consultations around developing their process. There were specialist groups developed, including consumers, people who work in a range of professions and people who have knowledge of the mental health area. There were also a wide range of consultations with consumers, carers and people in the industry across the country. All of that information was taken into account in developing the package that came out in the budget. Is it a perfect package? No. There has never been a perfect package. What it is is the best possible approach to look at how we can best spend the budget on mental health services.

The core aspect around Better Access was to reinvest some of the money, after the review of Better Access was concluded, and we went into great detail through the committee process looking at how this review operated. One thing that no-one questioned was the data that indicated that over 80 per cent of people accessing the Better Access services that are there only accessed fewer than 10 services. There could be other queries about that process evaluation but no-one argued with that data. In fact, what we said was that perhaps it was better for the people who had ongoing need to look at alternative forms of getting services that we know they need. And we had evidence from a number of practitioners that people who perhaps required more interaction with practitioners could well need interaction with other forms of practitioners.

That is not to say that Better Access did not serve a purpose, because you and I know, Mr Acting Deputy President, that, when you have need for help, you will take what is available—and up until now one of the core aspects of available services was Better Access. We said in this budget that we thought there should be more funding put into the ATAPS program, and when I have more time I will speak more about that and the alternative service it operates; also, greater use of making sure that we have an effective workforce relationship and we have access to psychiatrists so that people who have more serious needs and have to move up a level may be better serviced by having access to psychiatrists. That was a core aspect of the discussion.

I think we need to ensure that through this report—as I say consistently, a report is but a stage—we look at the range of recommendations and at the range of concerns and that we work together to see whether we can have an ongoing response. That is to acknowledge to all the people who gave their time to this process that we value your input, we value your needs and we know that there needs to be ongoing work on mental health services in this country. Again, that is something I can say that there is no argument about.

I would like to go on and talk more about the commission and those things, but we will
have more time when we get through different stages of the budget in the future. I can say that the government are determined that we will completely reinvest every dollar into new mental health services, targeting some of the most disadvantaged people in our community—because, as always, one of the things we saw was that the services provided did not reach the people who were in the lower socioeconomic areas in our nation, and that is something about which we must all be concerned. The data is there. We now have a challenge to see whether the enhanced ATAPS, the e-health initiatives and the community care processes that are part of the budget initiatives will meet the challenges to make sure that they do reach those people—and we have a commitment in this place to work to make sure that happens.

**Senator WRIGHT** (South Australia) (18:25): As the Greens' spokesperson for mental health I am pleased to rise to speak in relation to the tabling of the report of the inquiry by the Community Affairs References Committee into Commonwealth funding and administration of mental health services, and I thank Senator Moore for her generosity in sharing her time with me.

The Australian Greens welcomed the government's commitment of increased funding for mental health in the May budget. The budget also introduced some substantial and far-reaching initiatives which the Greens have been consistently calling for, in particular a focus on children, youth services, early intervention and case management, and the establishment of a dedicated Mental Health Commission. However, it is fair to say that there were also implications from the budget decisions which were of concern to the Greens and certainly received mixed reactions from various sectors.

There are several particular issues that I will refer to briefly in the time available. Some submissions expressed concern about the process of consultation which occurred before these initiatives were announced, and I share that concern. A particular issue that was raised related to the existing National Advisory Council on Mental Health. Another body was established, the Mental Health Expert Working Group, which does not include a consumer representative.

Often in the past, in Australia's mental health history, mental health consumers and carers of those who experience mental health conditions have had things done to them without sufficient consultation. It is absolutely crucial, for programs and initiatives to be effective and accountable, that the voice of consumers and carers is included and heard at every stage.

The other matter I want to address in the brief time available is in relation to Better Access and the change to the number of sessions available. Although I understand the reasoning behind the government's decision to rely less on Better Access and to focus more on the ATAPS program—for example, because there are suggestions that Better Access has not reached hard-to-reach communities such as lower socioeconomic groups or those in rural and remote areas as well as ATAPS has done—it is clear from submissions received from many organisations and practitioners that the result of these reduced sessions will be that there will be clients who have a compelling need for treatment and, where practitioners have clients like that, naturally they use the mechanisms available to help them. They are extremely concerned at the possibility that many of those clients will not be able to access treatment if these changes go ahead.

There is a need for the government to better identify the objectives for Better Access, in my view. And, like my colleague Senator Siewert, the chair of the committee,
in her additional comments, I urge the government to delay the implementation of the Better Access changes until it is clear that other programs such as ATAPS can provide treatment to people with severe or persistent mental illness.

I would like to thank the secretariat for their diligence in dealing with the amount of correspondence generated—as has been said, there were over 1,500 submissions, so clearly it is of great concern in the community—for their handling of some contentious issues which are discussed in the report and for their accurate and thorough compilation of the evidence received. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 18:29 to 19:30

BILLS

Clean Energy Bill 2011
Clean Energy (Consequential Amendments) Bill 2011
Clean Energy (Income Tax Rates Amendments) Bill 2011
Clean Energy (Household Assistance Amendments) Bill 2011
Clean Energy (Tax Laws Amendments) Bill 2011
Clean Energy (Fuel Tax Legislation Amendment) Bill 2011
Clean Energy (Customs Tariff Amendment) Bill 2011
Clean Energy (Excise Tariff Legislation Amendment) Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011

Clean Energy (Unit Shortfall Charge—General) Bill 2011
Clean Energy (Unit Issue Charge—Auctions) Bill 2011
Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011
Clean Energy (International Unit Surrender Charge) Bill 2011
Clean Energy (Charges—Customs) Bill 2011
Clean Energy (Charges—Excise) Bill 2011
Clean Energy Regulator Bill 2011
Climate Change Authority Bill 2011

Second Reading

Debate resumed on the motion:
That these bills be now read a second time.

Senator BOSWELL (Queensland) (19:30): Let me first welcome Senator Wong. I know that she will be pleased to hear my speech on carbon tax. I am not sure we will share any great values, but maybe she can learn a bit.

We are debating 18 clean energy bills that are going to severely impact on Australia's business, regional areas, mining, householders and food processors by driving up costs, making business less competitive and forcing jobs offshore. This will all be a futile bid, because this is not going to achieve anything. The carbon tax is the greatest confidence trick ever perpetrated on Australia. I say it is a confidence trick because it is modelled on an assumption that the rest of the world will have some form of carbon reduction that will roughly equate to Australia's carbon tax by 2016—and there will be no less employment. Both assumptions are loaded into the GTEM model.

This model has only ever been seen by Treasury, despite the Senate Select Commit-
tee on the Scrutiny of New Taxes pushing for the release of the model for months and months. Despite Senator Cormann and me being told time and time again that the modelling is available, the reality is that it has never been available. Last week, Meghan Quinn, from the Treasury, said that Henry Ergas, Brian Fisher and Warwick McKibbin had access to the modelling that would allow them to publish results of the impact of the carbon tax. That is blatantly not true. Neither Fisher nor Ergas nor McKibbin—Australia’s most prominent economists—have been able to obtain the model. Dr Brian Fisher looked at Meghan Quinn’s comments about the model being available, went down there and asked for it and was refused. After months of trying to get this modelling, some light was shed by Phillip Glyde from ABARES. When asked by Senator Cormann, ‘Would an independent third party be able to have sufficient access to the GTEM model to run the same modelling scenarios as Treasury ran to produce the carbon tax?’ Phillip Glyde said no, it was not possible. I find Mr Glyde to be one of the straight shooters.

Dr Brian Fisher wrote to Meghan Quinn, from Treasury, asking for the modelling after Ms Quinn said it was available. He said he was prepared to pay for it but he was told by Treasury to make further inquiries to Wayne Swan. I asked Ms Quinn whether we could get the modelling during a series of Senate estimates inquiries. Despite being told that it was available on a number of occasions, no-one has ever obtained the modelling. At Senate estimates last week, Senator Cormann and I again asked Senator Wong for the modelling. The minister weaved, ducked and dived trying to avoid the question. She tried to filibuster on how much modelling and how many hundreds of pages she had released, but the cat was belled when Meghan Quinn told the estimates committee that the most recent public release of the model carried by ABARES was in documentation in 2007. That would have been in the Howard government era.

Senator Cormann and I continued to ask for a commitment from Senator Wong to release the modelling, only to be told that she would take the question on notice. We asked Senator Wong five times, and she said five times that she would take the question on notice. We are still waiting. On 21 October, Henry Ergas said that it had taken three months and 10 hours to get an admission that the modelling was not available to anybody—not to him or anyone else. I asked Ms Quinn a number of questions:

Senator BOSWELL: So, if Professor Ergas were to go with a cheque in his hand and say, ‘I want the modelling and I am prepared to pay for it,’ it would be available to him? Is that what you are saying?

Ms Quinn: Yes, he would be able to receive those models.

Senator BOSWELL: Comprehensive models?

Ms Quinn: Yes, he would be able to obtain them from the providers of those models.

This is blatantly not true, because he did try. Everyone has tried to get the models but no-one has been successful.

The government today is putting through a new series of clean energy bills which will apply if the carbon tax passes the Senate. This tax will cost the nation, to GDP, $33 billion by 2020 and $1 trillion by 2050. This is not a Boswell statement; this is from chart 5.13 of Treasury paper *Strong growth, low pollution: modelling a carbon price*. It is the government’s own model. And we are going to spend $1 trillion by 2050 and $33 billion by 2020. This is a model that has never been seen by any third party. Economists have sought access to modelling and have been refused. They want the modelling, peak bodies want the modelling and business
groups want the modelling, but it is the tightest secret in Canberra. This is a trillion-dollar carbon tax without any checks or balances and no scrutiny. 'I'm here from the government and I wouldn't lie,' is all they have on offer.

It is not the government's money, Senator Wong; it is the people's money. Senator Wong, if you are ever in business and it is a public company and on 30 June the books have to be audited and you do not comply, then you are in very serious trouble under the companies act. The government does not want the modelling to be scrutinised because it is frightening. There is absolutely no reason why this modelling should not be made available. The government is costing Australia $1 trillion but will not let anyone look at the modelling. The press should be demanding that there be a check on the modelling. The government has got away with highway robbery on this. Over $1 trillion loss in economic output in 2050 equates to $40,000 for every man, woman and child. These are the government's own figures, Treasury's Strong growth, low pollution chart.

On top of the loss of revenue, the Department of Climate Change and Energy Efficiency is supporting the old adage that if you give a public servant a piece of paper and a pencil then they will build an empire. Already 1,027 people are employed in the climate change department at a cost of $48.9 million and we have got a year to run. Goodness knows what it is going to cost.

Both Senator Cormann and I have been in relentless pursuit to obtain the modelling so that the cost of this expensive tax can be audited. The government asked us to accept a loss of $1 billion on the word of Treasury without intervention by third parties. I do not believe we will ever see the modelling. I do not believe the modelling will ever be available, certainly not until the legislation goes through. If the government were so sure that the modelling would support their arguments, they would have released it months ago. In fact, they would probably have sent it out to householders in the form of a letterbox drop. If they were convinced that the modelling was sound, why won't they release it now? That is the question that should be asked.

Senator Wong, why won't you release the modelling? Why won't Greg Combet release the modelling? Because they know the modelling is based on the assumption that all countries will be on board by 2016. This is an official explanation given to us by climate change officers, that all countries will have some form of carbon restriction by 2016. I asked the climate change officials to give me the restrictions and the commitments made by the other countries to reduce carbon emissions, but what I was given was misleading. We were told Brazil would have a target—and Canada, China, Indonesia, India, Mexico, the Republic of Korea and the United States. These countries do not have anything like a carbon tax. The statement I was given is misleading and wrong. None of our trading partners have proposed the level of action Australia is proposing with the carbon tax. Just a couple of days ago the Canadian foreign minister, Mr Baird, said Canada would never introduce a carbon price. He described it as pyramid selling. Mr Baird is in a government that just won a massive election campaigning against a carbon tax. New Zealand is backing away from a carbon tax.

By 2020 carbon emissions will have risen in China by 496 per cent and in India by 350 per cent. Third World countries will never impose a carbon tax on their already depressed economies, and why should they? Why should they penalise their own people that are living in poverty? It is just impossible for
a Third World government to impose a carbon tax. Unless there is world involvement, carbon tax just cannot fly. There are many countries walking away from this, and yet we are told by zealots in the climate change department that the world will have the equivalent of a carbon tax by 2016. The government’s own modelling shows that emissions will not decrease in Australia. Emissions will increase from 2012 to 2020, from 587 million tonnes to 621 million tonnes, yet we are going to spend $71 billion to get an increase in carbon emissions.

The government knows that, if the model is released and independent modellers put the facts—that the rest of the world will not have a carbon tax by 2016—into the equations, the modelling will show that the Australian financial exposure will be far worse than what the government is stating at the moment. Genuine modelling will show that the cost will be higher, damage to our industries will be more severe, unemployment will rise and falls in incomes will be higher. Loss of GDP will be greater, even more than $1 trillion. In fact, if the GTEM modelling were released, the modelling the carbon tax was based on, it would show a much worse set of figures. If the model were not loaded with assumptions that we would all be there by 2016, an independent modeller could place a more realistic scenario and come out with a totally worse set of figures. The government wants to avoid that like the plague. There is also loaded into that model the assumption that there would be no unemployment. It is loaded into the computer. Unemployment would be picked up by people getting less money. The world is running away from a carbon tax. No-one in their right mind would enter into a carbon tax comparable to Australia's by 2016, and that is what we are being asked to accept.

So the real facts have been hidden from the Australian people. This is a most serious situation which places government officials in a terrible position where they must defend their government's hiding of the modelling. The business community, the mining community, food processing, heavy industry like cement, steel and aluminium, farmers and graziers and working families deserve to have an honest independent assessment done on this modelling of the carbon tax. But the government are protecting that modelling as though their life depended on it. They know what will happen if the real cost of the carbon tax comes out. It will make them even more unpopular, if that is possible. I do not make unsubstantiated claims in the Senate but I will say this: the deliberate, continuing refusal of the government to allow their modelling to be scrutinised by independent modellers misleads and is very close to fraud. Where else in the world would a government spend $1 trillion and not open its model to scrutiny? ABARES always released the full model when we were in power.

After July next year, when the first carbon tax bill comes in, there is going to be an unbelievable backlash from the business community. As the government has said, the carbon tax will cause prices to rise by around 10 per cent for householders. It will cause the price of power to rise by 30 per cent for industry. Last night I was talking to a guy from Queensland who has a lot of generators up there, and he said, 'When this hits it is going to hit like a rocket.' My advice to industries that use a significant amount of electricity is to go and get some advice from the electricity consultants, because your electricity bills are going to be a lot higher than most people think. Business needs to be prepared for this. People should be forewarned that their household bills will go
up by 10 per cent and business costs will rise by 30 per cent—and going north.

This is the world's biggest carbon tax. In fact, apart from the EU, it is the world's only carbon tax. In the six-year period between 2005 and 2011, carbon tax in the EU collected $4.96 billion. Over a six-year period in Australia the carbon tax will collect $71 billion. The carbon tax will hit Australia at $391 per person per year. Less than nine per cent of Australia's 105 million manufacturing workers will receive compensation for the carbon tax. Where is Paul Howes when you need him? He was going to pull the plug if the carbon tax cost one job, but it is going to cost thousands and thousands of jobs, and the few miserable bucks that they have thrown into the steel industry and in paying Peter Beattie a thousand bucks a week, or whatever he gets, is not going to fill that gap.

The modelling assumes a miner loses a high-paying job—say around $100,000 a year—and he may get a lesser paying job of $50,000 a year. Ipso facto, there will be no unemployment. These are the assumptions made in the modelling. What a nonsense! If you load into the modelling no unemployment, that is the answer you are going to get back: there will be no unemployment.

There is another reason the model should be tested. All Australian industries are going to be under the pump. The high Australian dollar is making it easy to import and hard to export. The aluminium industry, the cement industry, the steel industry—all of these industries are going to lose their competitive advantage. Australia has a high standard of living. People in factories have generally had good working conditions. Australia's competitive advantage has been cheap electricity, but the carbon tax is going to take care of that. It will bring us right back to the field. This is already driving businesses overseas.

Is anyone aware that Rio Tinto have put their aluminium smelters up for sale at Gove, Bell Bay in Tasmania and Tomago in Newcastle? Then there is the Kandos cement plant—that has gone. When factories are not maintained and become run-down, they will be replaced, and they will be replaced by overseas industries. Most of the big industry players are international and it does not matter to them whether the manufacturing plant is in South Africa or New Zealand or Australia. It is just as cheap, probably a lot cheaper, to manufacture overseas. Heinz are reducing food processing in Australia. Food processing has been threatened by this carbon tax. We are already starting to see the rot set in and we have got 12 months to go until it even takes effect.

A couple of years ago the Yabulu nickel-processing plant was going to be closed by BHP. One thousand jobs were going to go, were going to be lost. A friend of mine, Clive Palmer, went in and spent a huge amount of money and turned that business around and made it profitable again. Last year you may have seen in the papers that he shared his wealth at Christmas time. He bought a number of Mercedes Benz's for his workers. The Yabulu mine will now be up for a $28 million carbon tax. It will rob the refinery of its entire profit. You can pick abattoirs, you can pick any industry: they are going to get hit. The proposed compensation to householders will not be much good. If you do not have a job, compensation does not help you a great deal.

People are going to shift to those places where there is no carbon tax. Industries will be dirtier and carbon emissions will grow higher. The carbon tax has not an ice-cream's chance in hell of working. Canada's foreign minister called it pyramid selling. But I believe it is closer to a Ponzi scheme. It is the closest thing I have ever seen to a Ponzi
scheme. This is going to hurt everyone. 

(Time expired)

Senator CROSSIN (Northern Territory) (19:50): It is with great pleasure that I rise this evening to provide my contribution to this debate on what is known as our clean energy future package of bills. Some time ago in the Northern Territory I conducted a survey of constituents under the age of 25. I asked them to highlight for me what their three top issues were. Overwhelmingly—it will not come as any surprise to people—more than 80 per cent of the responses indicated that the environment and climate change were what most concerned the young Territorians that I represent in this chamber.

It is certainly that element of my constituency that has been congratulating and urging this government to continue to take these steps—and that is exactly what these bills are all about. These bills are a plan to cut carbon pollution and to drive investment in clean energy technologies—technologies and infrastructure like solar, gas and wind.

These bills will actually help build the clean energy future that the young generation—the young people that I represent in the Northern Territory—is expecting us to do now as a federal government. They are expecting us, wanting us and encouraging us to take this lead. They want us to show some leadership, to start taking some action on climate change and to deal with it. These bills will assist in ensuring that we do grab hold of a future that is a clean energy future. These bills will ensure that the big polluters will pay—not the people. This is a price that will be paid by around 500 of our biggest polluters and not ordinary Australians. Contrary to what those opposite want us to believe, this is about making the polluters pay, and so millions of Australians will actually pay less tax. What people need to appreciate is that these bills not only deal with climate change but also invest a lot of money in renewable energies and future energy technologies. And they have wrapped up massive tax reform for this country.

I want to spend a few minutes highlighting why it is so necessary for us to move on climate change and to put a few of those points down on the record for the sceptics opposite. The Northern Territory is the least populous of Australia's states and territories. We are home to only a mere one per cent of the population. But, even though it is so small, the Northern Territory produces 3.3 per cent of Australia's total greenhouse gas emissions. Unlike most other jurisdictions, we have emissions that derive predominantly from bushfires, savannah burning, not from industry or power generation. Our power generation is gas rather than coal-fired, which in the context of this legislation gives the Northern Territory a significant advantage in terms of emissions per capita. Despite the apparent insignificance in its contribution to greenhouse emissions and global climate change, the Northern Territory is far from immune to the adverse impacts of climate change. I think that is why so many young people in the Territory are tuned in to wanting to see action on climate change. We might be a small player when it comes to what is happening nationally but we are a big player when it comes to the impact of what is happening to the Northern Territory with the changing climate.

As most people would be aware, the Northern Territory has two very distinct climate zones: the Top End of the Territory and Central Australia; they are at least 1,400 to 1,500 kilometres apart. The Top End has a tropical climate, high humidity and two seasons—the wet and dry seasons. By contrast, the Centre, which includes Alice Springs and places like Uluru, is semi-arid. Predicted changes in climate conditions may affect natural systems and human settlements.
in the Northern Territory. There are also potential impacts and costs to the Northern Territory's industries, environments and people. In the coastal zone, for example, climate change will lead to rising sea levels and potentially greater storm surges, which will impact our coastal communities, infrastructure and ecosystems.

Not only will climate change impact on the Northern Territory; it will have a very significant impact on the people that I represent on Cocos island, which is less than one metre above sea level. Picture that: less than one metre above sea level. I take no more than about 10 steps away from the airstrip at Cocos island and I am in the water at the beach there. The research that has been undertaken tells us that climate change will have a significant impact on that little island community.

Across the Northern Territory, between 260 and 370 residential buildings have been identified as being at risk of inundation from a sea level rise of 1.1 metres. A rise such as that will put over 2,000 kilometres of road at risk as well. Darwin is especially vulnerable to riverine flooding and more intense cyclonic activity. The impact on infrastructure is expected to be extreme under a business-as-usual climate scenario, including major threats to vital port infrastructure. In Darwin alone, we know that the number of days over 35 degrees is expected to increase from 11 a year, which is what we currently get, to over 69 days by 2030 and nearly 300 days by 2070, unless we do something to reduce the emissions and be part of global action to address climate change.

Coupled with the extremely high humidity that Darwin experiences during the wet season, the higher temperatures are expected to adversely affect levels of human comfort—that goes without saying. We will see increased mosquito borne diseases such as Dengue fever. Also, we know that there are a number of deaths in the Territory related to heat—10 last year. We are expecting that to rise to at least 126 a year by 2050. These are really stark statistics and they are telling us that we have to take action now and do something about this. We know that the number of cyclones is expected to decrease, but the proportion and intensity and, therefore, the more destructive categories of cyclones are expected to increase.

I want to highlight that earlier this year we released a report entitled *Kakadu: vulnerability to climate change impacts*. It identified some of the likely impacts if, in fact, we do not take action to address climate change. The freshwater environments of Kakadu are likely to experience increased salinity as a result of rising sea levels, which are predicted to go from eight centimetres up to around 30 centimetres by 2030. The scientific research, which we have embraced on this side of the chamber, is validated and accredited. As a result, we believe that it is time that we as a government take action to turn this figure around or prevent it from happening. We know that in a place like Kakadu those sorts of statistics will result in fundamental ecosystem changes, placing severe pressure on many species of plants and animals. Huge tracts of melaleuca swamp are likely to be destroyed and, along with those, the critical habitats that they provide for many waterbirds and aquatic species.

A recent symposium in the Northern Territory saw experts from around Australia meet in Darwin to discuss climate change and the necessary adaptations to be made in the Northern Territory. Charles Darwin University's Research Institute for the Environment and Livelihoods says that the NT is already feeling the impact of climate change. It is already seeing quite rapid rates
of sea level rise off the northern coastline, averaging about seven millimetres per year over the last 18 years. So the statistics are there, the report is there and the scientific evidence is there. What we need to do now is to take responsibility, to take action and to do it now. We cannot deny the evidence that most of the warming observed globally over the past 50 years is attributable to human activities and that climate change has already affected many of our systems. This snapshot of the challenges the Northern Territory is facing from climate change provides ample reason to support this clean energy package.

We know that, of the approximately 500 businesses across Australia that these bills will target, fewer than 10 operate solely in the Northern Territory. What I want to highlight, though, is that this package of bills aims to do a number of things. It will cut pollution by 160 million tonnes per year by the end of the decade. It will see 1.6 million new jobs created and it will keep the economy growing. It will fund billions of dollars of tax cuts and extra payments for households. We have always been clear that the carbon price will have some price impacts—on average, 0.7 per cent. That is less than one cent in every dollar. This government has always been upfront and honest about the price impacts of this legislation, but we have also been very honest about the fact that this package is targeted so that at least nine out of 10 households will get assistance.

Let me very quickly put this on the record so that people in the Northern Territory know what that means. More than 50,700 people in the Northern Territory will receive household assistance through the transfer system. More than 19,000 pensioners will receive an extra $338 per year if they are single and up to $510 for couples in their pension payments. More than 19,400 families will receive household assistance through their family assistance payments. More than 800 self-funded retirees in the Northern Territory will receive extra assistance, $338 per year for singles and $510 for couples. We know that more than 11,200 job seekers will get $218 per year for singles and $390 per year for couples. More than 4,000 single parents will get an extra $289 per year. More than 3,600 students in the Northern Territory will get up to $117 extra per year for singles, depending on their rate and the type of payment—Austudy, Abstudy or youth allowance.

On top of all of that assistance that we are going to provide to households in the Northern Territory as we implement this package, taxpayers in the Northern Territory with an annual income of up to $80,000 will get a tax cut, with most receiving at least $300 per year. For a dual income family with one child and a joint income of $75,000 per year—which is a typical income in the seat of Solomon, I might say—the average expected costs due to a carbon price will be around $504 a year. They will receive $1,087 in household assistance, so they will be more than $500 per year better off.

So what we need to do is embrace this legislation. We are going to do two things here. We are going to tackle climate change, get on board and be leaders in addressing what is happening to our climate. We are going to be leaders when it comes to ensuring that we inject money into clean energy technologies and infrastructure and we are going to become leaders in reforming the tax system in this country and assisting households. We will support them with funding so that they will actually benefit from this clean energy package.

I would urge everyone to focus on the positives of this government's actions on climate change. For example, the carbon price will have no direct impact on the fuel
bills of many small and large businesses—couriers, taxi drivers, car hire companies. Businesses that use vehicles of less than 4.5 tonnes—cars, utes and light commercial vehicles—will be permanently excluded from paying the carbon price. The family car is also excluded.

In the case of heavy vehicle operations, the Bureau of Infrastructure, Transport and Regional Economics has calculated that the extra cost of driving a B-double from Sydney to Melbourne under the carbon price at today's diesel prices will be around $35, or about 7c a litre. We hear many critics talk about the impact of these bills on transport costs in the Northern Territory but, as I said, we are looking at 7c a litre—0.7 per cent per item, less than 10c per item. In relation to air travel, which I know some people in this place have spoken about in their contributions to this debate, the carbon price will have a very small impact on domestic air travel. For example, we know that it will add around $2 to the cost of a seat on a flight between Sydney and Melbourne.

We have always been upfront about the impact and the costs of these changes for households. We have been more than upfront about the very generous assistance that we will be providing to households. Households will be better off under this plan. Once fully implemented in 2014, the carbon price will have little impact on the cost of the daily commute. The expected rise is only half of one per cent, significantly under the eight per cent that was added when the GST was introduced by John Howard and the Liberal government. So I am very pleased to be standing here supporting this package of clean energy bills. I am pleased because the rest of the world is acting and our economy and our environment will be badly damaged unless Australia acts too. We know that families will be better off under this plan. We will address climate change. We will be assisting households as we move through this transition.

The Prime Minister said a few months ago that history will determine the outcome of this government and she wants to be on the right side of history. I think in five or 10 years time, when we turn around and have a look at what we have done in tackling climate change, we will be very proud that we as a federal government have stumped up to the hard task, taken on massive reform and taken the opportunity to ensure that we tackle climate change, that we do make a difference to what is happening to our environment and to the climate around us. We have done it in such a way that families can benefit from this, can be part of this and can be pleased to be part of it. I have had hardly anybody come to my office complaining about these bills or complaining that they will not be effective. I have had more than enough people come to my office to congratulate us. I have done massive mail-outs around the Northern Territory and we have been overwhelmed by people who have come through the door and overwhelmed by people who have telephoned us to say: 'I am pleased to see that you are part of a government that is starting to tackle climate change. I am really pleased to see that you have also included us in your package so that we will benefit from this as well.' Overwhelmingly people in the Northern Territory have supported and embraced this package, particularly young people. They want us to get on with this job and make a difference, not only to their lives, their climate and their environment, but to the lives of the people who will come after them.

Senator BOYCE (Queensland) (20:08): I would not want to comment on the content of Senator Crossin's speech, but I would like to congratulate her on the length of her speech and the fact that she appears to have made a real effort to contribute to this
debate on the clean energy bills, unlike many of her colleagues from the Labor government and their close allies the Greens. We have had short speech after short speech from both the government and the Greens, who apparently could not even be bothered, despite Senator Crossin's comments around Ms Gillard's interest in this historic moment, to put together substantive contributions to this debate on what is alleged to be a great and historic change. I think it will be historic, but it will not be because we are on the right side of history. It will be remembered as another black Labor day.

In the political and public debate, many climate change issues are treated as black and white, for or against, when the truth is far less exciting and much greyer. The world and its climate are very complex, but I have faith that we can deal with most of the issues and maintain a liveable world. However, I think it is understandable that we will argue about the solutions to the very real threat of climate change and I would like to give you my take on that.

A clean environment has to be a natural cost of doing business. I remember the days when the environment protection authorities were formed in the states and many businesses complained that they could not stay in business with those restraints on their ability to emit into the air, yet they did. They changed, they innovated and they survived. What may seem to be costs now will in the future be seen as ways of turning a dollar. Solutions will be found by the integration of scientific and business ingenuity, although I hasten to add not under the current funding regimes that this government has for those sectors. It is private enterprise that will drive our solutions, or at least should drive our solutions, with government simply developing supportive programs and getting out of the way. Government's role is to establish national policy settings that are clear, transparent, affordable and centred on a rigorous consultation with business and the host of brilliant minds that we do have available to us, although they are not much used right now.

The Gillard 'not in a government I lead' carbon tax does not pass any of the above tests. It is a huge shambolic bureaucratic monolith driven by a blind person in a green uniform who does not believe in sat nav but instead has absolute faith that they know where they are going. It is absolutely pointless to undertake environmental climate change initiatives that are not economically viable or do not regard economic viability as being crucial to their success. Although, why would we be surprised that this government has not quite got its act together on economic viability yet?

In a recent submission on the government's clean energy legislative package, the Business Council of Australia said:

The BCA is not contesting the bi-partisan emissions reduction target of -5% and the need for Australia to contribute its part to a binding international agreement.

There is no contest on those points, but the BCA also made a number of important observations that question the Gillard government's headlong rush to add environmental mismanagement to their long list of policy misadventures and policy mis-implementations. The BCA argues that the Gillard-Bob Brown clean energy future package, as it is currently designed, presents considerable risks to Australia's long-term future. For example, their clean energy future legislation is based on overly optimistic assumptions in the Treasury modelling that have already been called into question. Those assumptions, and the models on which they rest, have not been stress tested. In fact, as Senator Boswell so clearly pointed out to us earlier, no-one had even been allowed to see or analyse the models...
that were used. The Gillard government has no plan B. If this modelling is wrong, they have no backup plan at all. The BCA also points out that much of the operational detail of the proposed legislation will be contained in regulations that we have not seen. We do not have a clue about their workability in the real world. Given the government's current track record on practical solutions, I do not think we have any reason to be anything other than very, very worried about what this will mean for Australia and its future. In business, as in life, if you make a crucial decision on the basis of assumptions you must either be very confident about those assumptions—and we have proof that the government is not confident about these assumptions, or they would have released them—or you must have a backup plan if some or all of the assumptions are shown to be wrong. So what are the basic assumptions of the government's carbon tax plan? Firstly, that all other countries will implement pledges made at the Cancun United Nations Framework Convention on Climate Change, and that coordinated global action will emerge by 2016. At present there is no binding international agreement in sight.

I was musing earlier that it was interesting that Senator Wong and the then Prime Minister, Mr Rudd, spent so much time telling us how they needed a solution before they went to Copenhagen so that they could prove to the world that Australia was a leader in this field. We have Durban coming up at the end of November, and I do not see too much enthusiasm here for the government to be able to brag about its achievements quite as loudly. Perhaps this is Ms Gillard being a bit concerned about what happened to Mr Rudd after the complete debacle of Copenhagen. Certainly, part of the reason that he ceased to be Prime Minister was the fact that Copenhagen, as a conference, achieved nothing, and Mr Rudd achieved nothing. Perhaps Ms Gillard is hoping to sneak out of the country to Durban, because we certainly will not have an international binding agreement, or even the outline of an international binding agreement, decided at the end of this month in South Africa, despite the fact that the Kyoto protocol is rapidly drawing to a close.

We should also recognise that the major developing economy pledges that form part of the Copenhagen agreement are subject to overriding economic growth and poverty reduction requirements. These pledges do not include an indication of when each country will reach its emissions peak. The pledges are actually best endeavours, not promises, and I suppose that is something this government should be well aware of. It is still unclear what legal instrument will be put in place and what binding actions major emitting nations as diverse as the USA, China, India, Russia and Brazil will take. The United States, Japan and, most recently, Canada have all either rejected or postponed their programs to price greenhouse gas emissions. Our Treasury modelling is predicated on all countries that have made pledges actually implementing these pledges and a global price on greenhouse gas emissions emerging. That will be interesting to watch, but once again we have nothing about what lies behind that Treasury modelling.

The first question that should be asked is: what is the likelihood of actual international consensus and activity eventuating? The Treasury modelling does not help us to assess the risks of different outcomes in the international negotiations. In fact, there has been no sensitivity analysis whatsoever. Similarly, Treasury has not modelled what may well be a more likely scenario; that is, fragmented and differentiated actions by only some advanced economies and some major emitters. The level and robustness of
international commitments obviously has great importance for Australia, both from an environmental and from an economic perspective. Internationally, the levels of investment in low-carbon technology are substantially lower than the $500 billion required to keep temperature rises to less than two degrees Celsius. Let us make no mistake: it is the international environment in which Labor's big new carbon tax will operate, and it is that environment which will destroy Australian businesses, Australian jobs and, eventually, Australian households.

The Greens and their Labor finger puppets are so proud that Australia will be first and that it will lead the world to some sort of environmental nirvana. But let us look at what those nations are doing in the real world. Take China. Contrary to what the Prime Minister would have us believe, China is going through the fastest growth in emissions in history. Between 2005 and 2020 Chinese emissions will increase from about five billion tonnes of carbon dioxide equivalent per annum to over 12 billion tonnes per annum. This is approximately 100 times the reductions that would be achieved by the government's many bills. The Prime Minister has claimed that China is closing some of its coal fired power stations. For once, she has spoken the truth: they are closing some small ones and replacing them with some much bigger ones. Once again we have a version of the truth from this government.

Indian emissions are estimated to rise by 74 per cent by 2020. Similarly, India will not have a systemic carbon tax and, in fact, is completely and utterly uninterested in having one. Again Prime Minister Julia Gillard demonstrates her vague relationship with the truth when she claims that India was taking national action on pricing carbon by putting a clean energy tax on coal. The Indian coal tax is $1 per tonne, and it is just on coal. By comparison, even ignoring the government's clean energy bills, the state royalty on Queensland coking coal is already $20 per tonne. In the United States, a cap and trade system, their equivalent of a carbon tax, has been cremated and buried. The modelling upon which the Prime Minister relies includes the assumption that the United States will have a system that will be a full part of an international trading system by 2016. That is a completely false and unsustainable assumption. No member of the Labor government in Australia has been able to point to any evidence in the United States, from any legislator, which justifies that assumption. It is not even an assumption; it is another fabrication.

Europe does have an emissions trading scheme, but it is radically different from what is proposed here. The European system on a per capita basis is little more than $1 per person per annum across the economy. The Australian system will be approximately $400 per person per annum. Of course, I am sure the government can explain to us how we have the ability to pay 400 times what the very developed economies of Europe do.

Will this magnificent sacrifice being made in our names by the Gillard Labor government save the world? No, it will not. It will just mean that our emissions, our investment and our jobs will be sent offshore. Australian industry will have paid for platinum seats at a show that never happens—and there are no refunds. So there go business, jobs and growth. And what would happen to our budget and our debt if these untested, pie-in-the-sky assumptions proved to be bogus? Should the carbon permit price in the Australian scheme fall to $15 a tonne after the fixed-price period, the extra cost to the federal budget would be about $3 billion annually. A low permit price would turn a projected cumulative surplus of
$9.6 billion into a cumulative deficit of $9 billion over the same period.

The Treasury modelling suggests 40 per cent of the cumulative abatement to 2020 will be through a reduction in the growth of electricity demand. The thing is, of course, that that relies on dramatic change in consumption both by households and by business. We already know that electricity usage is quite inelastic. There is very little opportunity for households to change and, given that they are allegedly going to be compensated by this government for those increases, why would they change their usage? As well, we have retail price regulation in some areas that means domestic users will not even be paying the real retail price for electricity.

I suspect that in fact the savings are going to be made by the number of manufacturers in Australia that will close and go on closing their doors. We had the very unattractive sight of the financial services minister, Mr Shorten, today suggesting that because he went to supermarkets he knew people were doing it tough out there. Apparently he has just worked that out. The coalition has been saying for three years that if you take the effects of the mining industry away you have an economy that has been failing over the past three years. Businesses—service businesses and manufacturers—are closing their doors, builders are without houses to build. Yet this has all been masked by the attempts of this government to pretend that things are going well.

What should we be doing about this? The coalition has a direct action plan, which has been spelled out in the past by shadow minister Greg Hunt. If you look at the figures in it you will see it covers very successfully the need for change. What is more, our promises are real promises. A coalition government will support direct action on climate change to reduce Australia's carbon dioxide emissions by five per cent by 2020 while at the same time delivering real environmental benefits. This will be achieved without new or increased taxes on Australian industries or increased costs to Australian households and families. We are committed to incentives rather than penalties, to rewarding positive action rather than punishing Australian families, households and businesses in the way that this government will.

Our direct action plan outlines soil carbon sequestration, the electricity generation industry, forestry measures, waste coalmine gas, transport, green buildings, energy efficiency, landfill compost and recycling initiatives as areas that will genuinely save real money for this country and not leave us with this utter misrecognition of global reality. (Time expired)

Senator EDWARDS (South Australia) (20:28): Just over a month ago I attended the Paskeville field days on the Yorke Peninsula in my home state of South Australia. I attended the third and final day of this successful event. The field days have a major focus on agriculture and, by implication, its profitable future. The event features extensive displays of the latest agricultural machinery and equipment, technology, information and services. It is reputed to be the largest field days event in the Southern Hemisphere.

I surveyed as many participants as I could on the proposed carbon tax. Over nine hours I spoke to a plethora of farmers and manufacturers from all over Australia. I spoke with grain growers, dairy farmers, grape growers, fodder producers, trailer builders and animal husbandry supplement suppliers, and there is definitely renewed optimism in the sector. After nearly a decade of drought, poor crops and reduced water allocations, we have had good winter rains.
A solid harvest last year looks like being backed up with an excellent cereal harvest, which has just commenced across the country. But there are serious economic storm clouds on the horizon for these people. This cruel carbon tax has now come to the Senate to be debated by those opposite, who promised not to implement it, and by those on this side, who promise to repeal it. On 12 October 2011 the House of Representatives passed this carbon tax legislation. Amid the high fives, back slaps, hugs and kisses, Labor delivered these 18 bills into this place in a desperate betrayal of Australians to appease their partners in government—the Greens—in an audacious attempt to socially re-engineer this country's economy.

Each South Australian Labor member of parliament—and now I am focusing on those who represent the agricultural electorates—has betrayed their constituents. They should have stood up for their electorates, honoured their 2010 election commitment and stopped this tax, which will place a huge additional burden on farmers and the entire agricultural sector. This comes at a time when the export farming sector faces significant pressures from the surging Australian dollar, high labour costs and labour shortages as a result of competition with the mining industry, as well as the rising cost of key farming inputs through global demand as we race to feed the seven billion people now living on this planet.

The problems facing agriculture have been compounded by poor government decisions. The live cattle export ban last June put enormous pressure on the Top End pastoralists, exporters and associated industries in Northern Australia. We know that the Gillard Labor government has recently terminated the exit grants for farmers wanting to leave the land along the Murray-Darling Basin. This has left hundreds of exiting farmers part way through the sale process but without the grant that was their motivation to leave. These policy decisions from this government go from bad to worse. These are bad decisions for the bush—indeed, for all Australians—from a government that said, now infamously, that it would not introduce a carbon tax. If this tax passes, it represents a betrayal by Labor of the Australian people.

On 12 October in the other place we witnessed Labor's South Australian representatives betraying the South Australian people who elected them to parliament by voting to support the Labor-Greens job-destroying carbon tax. Those Labor MPs who represent the electorates of Wakefield and Kingston have forgotten their agricultural and farming constituencies. Whether they are croppers, grape growers, graziers or market gardeners from Mallala, Virginia or the Clare Valley, the Labor member for Wakefield has betrayed them. Grape growers, dairy farmers and horticulturalists in the McLaren Vale and Willunga Basin region in the electorate of Kingston have been betrayed by their Labor representative. Every single Labor member from South Australia was elected on a promise of no carbon tax. Today, country South Australians and their city cousins are quite rightly asking why it is that we are debating this carbon tax at all. Every time South Australian farmers, growers and producers are forced to pay more for electricity, fuel, fertilisers and other farming inputs, they can thank those members for Wakefield and Kingston.

Labor Senators from South Australia—Senator Wong, Senator Gallacher, Senator Farrell and Senator McEwen—will get their chance to show their true colours very soon: either stand up for the people who grow and breed the food and fibre that is so essential to our lives and send this legislation down, or roll over in a final gutless act of betrayal. Labor's complete and utter contempt for the
people in rural and regional Australia is deeply disappointing. Labor has no idea about the bush.

It is unavoidable that all Australians will feel the impact of the carbon tax. But the agricultural industry, along with rural and regional areas, will be unfairly some of the hardest hit. A carbon tax on the agricultural sector will push up input costs and pit these producers against lower cost producers in other countries, potentially rendering farmers uncompetitive in the global market. This can only lead to a reduction in the overall profitability of farm businesses and will potentially crush an industry that is 65 per cent dependent on export—this at a time when every other country in the world is scrambling to secure the economical supply of food for its people domestically.

We already know from Labor's own modelling that three million Australian families will be worse off under Labor's carbon tax, with increased fuel, energy, electricity and food costs. Agriculture may be exempt from a carbon price, yet, insidiously, farm businesses will be slugged with an increase in indirect costs from the commencement of the carbon tax scheme—energy and energy related inputs, such as fertiliser and freight, to name a few. Hollowly, even though agriculture may currently be exempt from the scheme, a question mark remains over how long the exemption will last. Given the Gillard government's form on breaking promises, how can the agricultural sector trust the Gillard government?

ABARES, along with the Australian Farm Institute, projects that the economic value of farm production would decline by eight to 13 per cent just from the indirect impacts of a carbon price. Imagine what the economic destruction would be if the sector were directly included in the scheme. Independent research by the Australian Farm Institute has highlighted additional costs from electricity and other indirect energy related sources. These include the additional costs of Avgas, food and fibre processing and other embedded energy costs in the manufacture of farm inputs. This research shows that even with fuel excluded the average Australian farmer will still incur an additional cost of $1,500 a year under a carbon price of $23 a tonne, eroding their average net farm income by 2.4 per cent—and that is without fuel.

These costs will erode the competitiveness of the agricultural industry in the domestic and international markets on which we depend. As the recent Productivity Commission review highlighted, across the world countries are developing climate policies that recognise the importance of agriculture and deliberately preventing any additional cost being added into their farmers' businesses. Australian farmers are at the end of the food chain and, as a result, they will be footing the bill, again unable to avoid what this government has dished up to them.

As the carbon tax legislation is introduced, I urge those opposite to consider the cost to the nation's invaluable food and fibre producers. Let us look more specifically at the dairy industry. Dairy farmers—and there are a few in the electorate of Kingston—face an average hike in energy costs of $7,000 and the loss of up to 7.8 per cent of annual income because of the carbon tax, according to research by the Australian Farm Institute. Australia's third largest rural industry, the dairy sector, has stated that the carbon tax will 'impose significant costs' and 'likely trigger job losses'. Dairy farmers will be stung with higher electricity and gas costs, causing major concerns across an industry employing around 40,000 people. A significant part of the increased costs reflects the flow-on costs to dairy farmers of the carbon tax impact on food processing, which
is not eligible for support. Dairy Australia is predicting the national average for dairy farms would be about $10,000 of additional costs for energy and fuel, but in South Australia, where herd sizes are almost double the national average, each would be likely to be paying between $15,000 and $20,000 a year extra for this new carbon tax. The South Australian Dairyfarmers Association says the region's farmers will also have to deal with the prospect of decreased farm gate prices because raw milk buyers are not exempt from the tax.

In the horticulture sector—an important industry in the Kingston and Wakefield electorates—growers are price takers. The industry have no ability to pass on the extra costs incurred from the carbon tax. They already operate under very tight margins, and further cost increases may make many producers unviable. Any increase in production costs results in a direct negative impact on farm profitability and viability. This kicks open the door for cheaper fruit and vegetables from overseas, a fact that is manifestly unpopular here in this country.

Like the horticultural sector, the meat-processing industry is facing increased costs that it will not be able to pass on, nor will it receive any government assistance. Business does not want government assistance—and it does not want a new tax. Let us look at one meat processor, JBS Australia, which employs about 2,000 people and processes about 1,600 head of cattle a week at its Dinmore facility in Queensland. It will be slugged about $3.3 million a year extra from the combined costs of the carbon tax and higher electricity prices when the scheme comes into play next year. It has warned that the carbon tax will create a two-tiered meat-processing industry—of big abattoirs that are forced to pay the carbon tax without compensation and smaller ones that do not pay it—and will add costs to an industry that is one of the biggest employers around the country in rural and regional areas. But the industry, despite the bulk of its output being

According to Citrus Australia:
… the Federal Government’s new carbon tax will significantly raise freight costs, which the farming industry will have to bear. In addition, farmers won’t get carbon credits for their trees because they use fertilizer on them. Growers have really had it stacked against them and it’s not getting any better unfortunately.

According to South Australian Horticultural Services:
The new Carbon Tax is a prime example of a new tax that is giving the current Australian Government a 'pool of funds' to give tax relief to the voters but actually achieving little or nothing in relation to carbon emission reduction. A bad tax based on a bad policy.

On top of this, from 2014, growers will also have to cope with the increased costs from heavy road freight being included in the scheme, all of which is unavoidable. The carbon tax is supposed to force change. I ask: how else can you get your produce to market? This is unchangeable.
produced for export, is unlikely to receive trade-exposed industry assistance.

Similarly, South Australia's Eyre Peninsula's aquaculture and fishing industries claim the new carbon tax will hit them hard. The Australian Southern Bluefin Tuna Aquaculture Industry Association has concerns that the increases in energy charges, coupled with general transport costs, may make it impossible to compete with other major seafood-producing countries. The association stated:

It's based on the assumption that any business can pass on that extra cost to the consumer. Now, if you're competing with a country like Japan or China or whoever it may be who don't have a carbon tax then you can't pass on the cost to the consumer. It's going to be a major blow—there's no question about that.

What we can see here is that major agricultural industries—the industries that create wealth in the South Australian regions and employ thousands of people in South Australia—do not want this carbon tax. It will further undermine the industries based in the bush, which in some sectors are really struggling. This is why industry groups, including the National Farmers Federation and, in my state, the South Australian Farmers Federation, have already stated they oppose the introduction of the Labor-Greens carbon tax. Peak industry groups across Australia have sent a clear message to the Labor government: this tax is unwanted and will have a detrimental impact on agriculture and rural communities. The coalition opposes a carbon tax and will not support a tax that does not provide any benefit to the agricultural sector and that has the potential to completely destroy our nation's agricultural industry by causing it to lack global competitiveness. Families will be rightly angry about the impact that it will have on the cost of living, but they will have a lot more to gripe about when they are eating imported foods and the Australian economy suffers as a result of our farmers being taxed out of existence as they succumb to countries with more considered environmental tax regimes.

According to the National Farmers Federation, the Australian agricultural sector has led the way in reducing its carbon footprint for many years, with its emissions having been reduced by more than 40 per cent in the past 20 years—a fact well known to Senator Nash. Those in the sector have been making changes to their businesses in order to make the sector more productive and more efficient so that they can continue to meet the growing food and fibre needs of the global population. Clearly, you do not need a carbon tax to drive emissions down. Farmers are already onto it. Again the Gillard government lays the dead hand of bureaucracy over another important Australian industry.

Not only are there the impacts on farmers from the rising costs of their inputs—the flow-on effect from the carbon tax—but there is pressure on the food processors who buy farmers' produce. Food processors are facing millions of dollars in higher costs as a result of the carbon tax, particularly through increased electricity prices, and many have said that the only way they will be able to recoup this cost is not to pass it on to their customers but to reduce the money paid to their suppliers—yes, you guessed it: the farmers, who are always the ultimate price takers.

Perhaps these costs might be justified if this was the only way to tackle climate change, but there is another way, a better way: the coalition's direct action plan. The coalition's direct action plan is a strong and effective policy that will reduce carbon emissions by five per cent by 2020 without a new tax that will place undue burden on Australian households and, particularly, our
farmers. Our direct action plan is costed, capped and fully funded from savings in the budget. We will use an emissions reduction fund to directly support CO\textsubscript{2} emissions reduction activities by business and industry. We will drive emissions reductions through soil carbon, the electricity sector, forestry, energy efficiency, boosting renewable energy and planting 20 million trees.

Of particular importance to the agricultural sector are the opportunities that soil carbon presents. Increased soil carbon can help improve soil quality, farm productivity and water efficiency. Through the emissions reduction fund we would invest in a once-in-a-generation replenishment of our national soils and farmlands. The coalition's direct action plan will assist farmers, not further marginalise them like the sly big new tax from Labor and the Greens. Direct action means no costs to households, no new taxes and no increase in electricity prices as a result of the policy. The Abbott coalition will steadfastly oppose Labor's toxic carbon tax in opposition and will rescind it in government.

**Senator CORMANN (Western Australia) (20:48):** The Labor-Greens carbon tax will impose significant economic pain on millions of Australians without generating any environmental gain for the world. This Labor-Greens carbon tax is a con; it is a fraud. It is a bad tax based on a lie and the Senate should not pass it. There can be no more emphatic promise than the promise made by the Prime Minister before the last election: 'There will be no carbon tax under the government I lead.' Given that we are now debating this carbon tax legislation, there are really only two conclusions one can draw: either the Prime Minister deliberately lied to and misled the Australian people or she is too weak to do what she knows in her heart of hearts is the right thing to do by the Australian people.

This government has argued that we have had many parliamentary inquiries—35 parliamentary inquiries since 1990, we are told—into this. And, yes, there has been a lot of debate across Australia about the merits or otherwise of putting a price on carbon when significant trade competitors of ours are not prepared to go down this path. It is fair to say that after all those inquiries and reports over the last four years—after the Garnaut review, the green paper, the white paper and all those parliamentary inquiries—the argument was settled. People understand that this carbon tax will not work to reduce emissions. People understand that it will push up the cost of everything, make us less competitive internationally, cost jobs, lead to lower real wages and shift emissions into parts of the world where emissions will be higher than they would have been in Australia. People across Australia understand that. People across Australia were entitled to believe that the Prime Minister of Australia understood this with them. After all of the inquiries and all of the debates that we have had, the question was settled before the last election. The Prime Minister went to the last election making the most emphatic promise that any Prime Minister could make: 'There will be no carbon tax under the government I lead.'

What she said was that she would work on building a community consensus before doing anything to impose a price on carbon. She was going to go to the community and build consensus. Now there is a community consensus, and the community consensus is against this tax. This government is either too arrogant to take note of the considered view of the Australian people or it is too weak to do what it knows is right because it remains a captive of the Greens in order to cling on to power. This is a government that is prepared to do anything, including hurting the Australian economy, including imposing increased costs of living on people across
Australia, for something that is completely futile—for something that arguably might result in increased global greenhouse gas emissions, not reduced global greenhouse gas emissions. Various Labor speakers, and speakers on behalf of the Greens political party, have argued that the situation is dire—we have all these floods, all these droughts; the Great Barrier Reef is in terrible shape; and there are all these terrible things happening out there—and we have to have this tax to fix all of these problems. Well, let me make one prediction: if this tax passes the parliament, if this tax is implemented, there will still be droughts, there will still be floods and we will still face various other challenges that come with climate change. Yes, the climate is changing—of course it is; the climate has always changed—and yes, we should do things that will actually help to reduce global greenhouse gas emissions, effective things. This government is saying we need to have effective action on climate change; we have to do something. No, we don't have to do something; we have to do something that is actually going to make things better rather than make things worse. And the Labor-Greens carbon tax will not only impose significant economic pain on people across Australia; it will arguably make things worse when it comes to the objective of reducing global greenhouse gas emissions.

Of course, we have asked the government the question: what will be the net effect of this carbon tax on global emissions? In this chamber I have asked Minister Wong, who is working very hard not to be engaged in this debate and is talking to her colleagues, ignoring what is being said during the debate in this chamber, the question: what will be the net effect of this carbon tax on global emissions? She gave us her usual political rhetoric, and her attack on the opposition, but there was no answer. In fact, I thought I would try my luck with the head of the Department of Climate Change and Energy Efficiency. Do you think he was able to tell us what the net effect of this tax is going to be on global emissions? No, because they do not know. They know that Australia imposing this carbon tax when our trade competitors in other parts of the world are not going down this path is not going to be effective action on climate change. In their heart of hearts, Labor members and senators know that this is just a reckless act of economic self-harm. The only reason the Labor government are going ahead with it, having promised the Australian people that they would not, is that they are dependent on the support of the Greens in order to hold onto government.

Then the government do some economic modelling. They tell Treasury the assumptions that they have to use; they give very clear directions, a very clear framework as to how Treasury is allowed to conduct this modelling—and of course the political objective of the government is to come up with some modelling where they can present a report to the Australian people that makes it look as if this tax is hardly going to have any impact at all on their standards of living. The name of the game was to come up with a report that was going to make it look as if this could be snuck in without much of an impact at all. People are going to better off, we are told. People are going to be better off because they are going to pay more tax! But, of course, when we started asking questions about the Treasury modelling, when we asked whether we could have a look at the underlying information, whether we could have a look at the databases that had been used—the model codes that had been used—the answer was: 'Oh, no, you can't have that! That would enable you to scrutinise the reports that we
have provided to the Australian people about the impact of this carbon tax on household budgets, on jobs, on real wages. That would enable people to scrutinise whether what we are saying to them is actually right! We can't have that—we can't have people scrutinising what we have put out there—because then people might realise that this carbon tax is actually going to have a much more significant impact on the economy than we have let on.'

I know for a fact that senior Treasury officials are embarrassed by the government's refusal to make that information available, because it is standard practice in economic circles that, when you publish reports that make assertions about certain conclusions, you release the models, you release the underlying information, you release the databases, you release the model codes and so on, so that independent third parties can scrutinise the work that was done and the reports that have been put forward. If you want to publish an article in any major economic journal that is based on modelling, you have to make the modelling and all the underlying information available so that people can properly scrutinise it. Not this secretive government! Not this secretive government that has something to hide when it comes to the impact of the carbon tax on household budgets and on the economy.

This government used to talk about openness and transparency in government, but of course we are not getting this in relation to the carbon tax. Under the Howard government the Australian Bureau of Agricultural and Resource Economics and Sciences used to publish the models, and all the relevant underlying information, that the government is now trying to hide, as a matter of course. In fact, they were preparing for the full commercial release of the GTEM model back in 2007, before this secretive Labor government got into office. And, whenever the Productivity Commission do economic modelling to assess the impact of various policy changes or initiatives, they not only have peer review every step of the way; they make available all of the modelling information, all of the databases, all of the relevant information that is necessary to scrutinise the conclusions they have reached, to third parties for proper scrutiny. Not this secretive government, because clearly it has something to hide.

But let's have a look at what the government claims the economic impact is going to be of this carbon tax. We know that even the government's modelling, which clearly underestimates the impact of the carbon tax—because it is based on an assumption, for example, that the US will be part of a global trading scheme by 2016, which it will not, and on an assumption that there will be comprehensive global trading by 2016, which there will not be—says that electricity prices are going to go up by 10 per cent, on top of any other regular increase, which of course we know has been happening in recent years. And it is completely self-inflicted. It is not as if it is necessary in order to guarantee the ongoing generation of electricity; it is self-inflicted. It is as a result of a tax imposed by the government. We also know that, even according to the government's own modelling, real wages will be nearly six per cent lower by 2050 as a result of the carbon tax. That is against a background of rising prices and lower real wages. Of course, we would like to be able to share with the Australian people what the impact is going to be on jobs but we cannot—why?—because this government never, ever assessed the impact of the carbon tax on jobs. Again, dishonestly, the Prime Minister and the Treasurer are trying to make people believe that the carbon tax will not have an impact on jobs, that the economy will continue to grow—so we are told—and
that jobs will continue to grow. But the
government dishonestly included in its
modelling an assumption that full employ-
ment would be maintained. If you impose an
assumption that full employment will be
maintained in the context of an economy that
of course is going to continue to grow—by
much less, but it will continue to grow—then
it is a necessary outcome of such a model
that jobs will continue to grow. Not that that
is the most likely scenario to play out, mind
you; it is not.

But here is the absolute cracker. Accord-
ing to the government's own modelling—
according to its own figures—the carbon tax
will cost the Australian economy $1 trillion
in today's dollars between now and 2050.
One trillion dollars is nearly the whole GDP
for the whole of Australia for a whole year.
That is $40,000 for every single Australian.
It means that every single Australian will
have to work effectively for nothing between
now and 2050 to pay the price for the Labor-
Greens carbon tax.

I made that assertion after a very
comprehensive Senate inquiry. Senator
Williams was a very active contributor on
that inquiry. We had evidence from Treasury
and various other experts. I made the
assertion that this carbon tax was going to
cost the economy $1 trillion between now
and 2050. 'Not true,' said the Minister for
Climate Change and Energy Efficiency, Mr
Combet. He said that the economy would
continue to grow, that the size of the
economy would double and that it would
grow by $2.3 trillion.

These statements are not actually con-
tradictory. The economy can still continue
to grow and it can still cost us $1 trillion
because the economy will grow by signific-
antly less. If you look at the government's
own modelling, by 2050 the government tells
us that GDP will be $100 billion lower in
2050 that it would be without a carbon tax. If
you calculate the cumulative effect between
now and 2050 on a year-by-year basis, the
cost between now and 2050—according to
the government's own modelling—is $1
trillion to our economy. It is extraordinary. It
is mind blowing. Will the economy continue
to grow? Of course it will, but it will grow
by $1 trillion less than it otherwise would.

Anyone with a superannuation fund and
anyone with investment knows that if
something grows more slowly over a 40-year
period you are going to end up with less
money. You are going to end up with less
wealth. This carbon tax will mean that
Australians will end up with $1 trillion less
by 2050 than they otherwise would have, and
that is in today's dollars. The reality is that if
this was going to make a difference we
might have an argument, but this is a $1
trillion cost to the economy just so we can
make higher emitting businesses in other
parts of the world more competitive than
even the most environmentally efficient
equivalent business in Australia. This is so
we can help manufacturing businesses in
China take market share away from manu-
facturing businesses in Australia. Every
common-sense Australian knows that, if you
help a higher emitting business in China—
which does not face this carbon tax—take
market share away from a lower emitting
business in Australia, all you are doing is
increasing emissions in the world because
you are shifting emissions from Australia to
a part of the world where, for the same
economic activity and the same economic
output, you will end up with higher
emissions.

This carbon tax, this emissions trading
scheme—what Labor likes to call a market
based system but I would call government
intervention through a big bureaucracy and a
big tax—might work in an economic theory
where you work on the assumption that the
whole world is going to do the same as Australia. But of course they will not. Let me draw senators’ attention to the Senate Select Committee on the Scrutiny of New Taxes interim report *The carbon tax: economic pain for no environmental gain*, which pretty well sums up what the central issue is for the Senate as we are considering this legislation:

The central issue … is not whether a carbon tax is good or bad in economic theory. The question before this committee and before the Parliament is whether Australia should implement such a tax, followed by an Emissions Trading Scheme, at a time of great uncertainty both about the economic outlook and even more so about the nature and extent of the international abatement effort.

These questions are particularly acute for Australia because our prosperity is based on a resource endowment that is highly carbon-intensive. Moreover and importantly, much of that carbon-intensity is not amenable to simple or obvious technological solutions – for instance, there is little that can be done to reduce fugitive emissions in mining.

It is against that backdrop that we need to assess whether it is desirable for us to impose a carbon tax if many other countries, including the world’s largest emitters and our major resource competitors, do not.

That is really the crux of it. The government initially proposed to reduce emissions in Australia in a way that would lead to increases in emissions in other parts of the world. Now they are not even trying to reduce emissions in Australia anymore, because, if you look at the government’s modelling, you will see that despite the carbon tax emissions in Australia will continue to grow.

Here is the next argument. The government says: ‘We need to be early adopters. There are benefits from early action. We have to get in early because that’s going to make it cheaper.’ That does not seem to be the case because, if you compare the Treasury modelling that was done at the time of the CPRS and the Treasury modelling that is being done now, three years later, the cost has actually gone down, if we are to believe the government’s own Treasury modelling. Given that the cost of the implementing a price on carbon to achieve a five per cent domestic emissions reduction by 2020 has gone down since 2008 according to the government’s own modelling, maybe we should wait another three or four years—it might be cheaper again!

Of course, the way the Secretary to the Treasury has explained it is that you get technology improvements which mean that you might be able to do it cheaper. I asked the question: given that we are now starting later, is it going to be more expensive; will we have to have a higher price? ‘No, not necessarily, because we’ve got better technology now.’ There is no evidence for this argument by the government that the cost of acting is going to be lower by going early. Just look at the Treasury modelling. The Treasury modelling is there in black and white. It is actually cheaper, by the looks of it, to wait for a bit longer.

This is a bad tax. It is a tax that is based on a lie. It is a tax that is a fraud. It is a con. It is something that should not be supported by the Australian Senate. If we pass this tax, all we are doing is forcing up the cost of living, putting jobs at risk, causing lower real wages, and all of that without doing anything to help reduce global greenhouse gas emissions. It would be irresponsible and reckless and it is not something that the coalition will be a party to.

**Senator WILLIAMS** (New South Wales—Nationals Whip in the Senate) (21:08): I commence by saying that this tax is about the great betrayal, the great betrayal of our Prime Minister, our Deputy Prime Minister and Treasurer, Mr Swan, and those others who have supported this government
into power. I refer to Mr Windsor, the member for New England. Just prior to the 21 August election, ABC radio in Tamworth, hosted by Kelly Fuller, on the morning show, was interviewing the candidates for the seat of New England. She put the question to Mr Windsor: 'Mr Windsor, you put a private member's bill into the House of Representatives when the emissions trading scheme, the Carbon Pollution Reduction Scheme, was the saviour of the world. Your private member's bill wants a 30 per cent reduction by 2020 on 1990 levels and a massive 80 per cent reduction by 2050 on 1990 levels.' Mr Windsor said: 'No, Kelly, that wasn't my bill. I just put that into parliament of behalf of some of my constituents.' He shirked the question. He misled his people of New England. Then he comes out afterwards and says, 'I have always wanted a price on carbon.' No, he has not. He misled the people of New England, and if they had known beforehand that he wanted to drive this whole carbon tax emissions trading scheme debate they would not have voted for him.

Mr Windsor is a great one to survey his electorate. He did a survey in his electorate on tax reform, euthanasia and same-sex marriage. But when he came into the Multi-Party Climate Change Committee that he insisted, in his deal with Ms Gillard to put her into government, that she form, he drove it as much as or even more than the Greens. But he would not answer an honest question from Kelly Fuller just prior to the election.

People might say this is all being driven by the Greens. No, the Independents have driven it. I will get on to the other Independent, the other betrayer of his electorate, Mr Oakeshott. A freedom of information inquiry by MP Jamie Briggs shows that months before the announcement of this Mr Oakeshott was working in conjunction with Ms Gillard to set up this whole carbon tax.

We have not heard a solid argument from the government. Perhaps when Senator Conroy addresses the chamber on his attitude to the carbon tax we might hear the real facts and might even give some argument for it. But I doubt it very much. I doubt that will happen. I just do not think Senator Conroy will give a convincing speech in this parliament about why he thinks we should have a carbon tax. We will wait and see. I notice he is not on the speakers list yet. That will come later, I am sure.

Let us look at Australia's emissions: 578 million tonnes this year. That will go, by Treasury's figures, to 621 million tonnes come 2020.

Senator Conroy: Is that weightless?

Senator WILLIAMS: No, it does weigh. That is why when you drive along the road at 100 kilometres an hour and you put your arm out the window it actually affects your arm. It does have weight. Let us go back to one of the big issues, the Black Saturday bushfires in Victoria, that terrible day when we lost so many lives and there was so much destruction. It was estimated that 90 million tonnes of CO$_2$ went into the atmosphere. Half of that came from national parks. Let us go back to national parks. Who drives the national parks? It is the Greens: lock up country and leave it. You are not allowed to graze it; you are not allowed to reduce fuel levels. Then when you get the 42-degree hot day with a howling wind it is out of control and you have got 50, 100 or 150 tonnes of fuel per hectare on the ground. So the lack of management is what is driving these increased emissions. When I put the question to the department, 'What about bushfires?' they said, 'No, we don't count them because after a bushfire it rains and the grass grows, so that abates what the fire put into the atmosphere.' How crazy is that?
Let us move on to the emissions. As I said, we are going up 43 million tonnes. It is interesting to see the Treasury figures on China. This year China will produce 10.3 billion tonnes. That will go up to 17.9 billion tonnes, an increase of 7,600 million tonnes a year by China alone, by 2020. And what we are going to do is going to change the planet? No, it is not. It is not going to change anything. It is going to change the cost of doing business and the cost of living. That is what it will change.

It is interesting that the Greens want to stop the burning of fossil fuels, of coal, and shut down all the coalmines. Let us have a look at what China burnt last year. China burnt 3.2 billion tonnes of coal. They increased their consumption of coal in that one year by a massive 435 million tonnes. How much is 435 million tonnes of coal, just as the increase? Last year Australia produced in total 420 million tonnes. So China's increased consumption of coal in 12 months was more than the whole of production of coal in Australia for 12 months. They are now actually producing 51 per cent of the world's coal themselves. China produces a lot of coal. We know that China went up 435 million tonnes to 3.2 billion tonnes of coal. In 2010 coal consumption increased by 5.7 per cent in the United States. It increased by 4.8 per cent in the European Union. It increased by 15.1 per cent in China, by 4.2 per cent in the United Kingdom and by 5.5 per cent in Germany. And what about in Australia? It fell by 3.6 per cent through direct action, through having gas-fired power stations. We actually reduced our consumption of coal by 3.6 per cent. We did not have a carbon tax to do it. You do not need a tax if you want to change the way you carry out your business. Those statistics are from an International Energy Agency document on coal information, dated August 2011. By 2020 we are going to see China's CO₂ emissions go up by 7,600 million tonnes a year and Australia's by 43 million tonnes a year. That is not including the bushfires. Come January or February next year, with all the fuel from the good seasons we have had, thankfully, for the last 12 or 18 months, it will be another scary time.

If the government is serious about reducing emissions, why is it putting a tax on liquid petroleum gas? LPG is the cleanest fuel you can burn in your motor vehicle. It has 13 per cent less emissions than petrol or diesel. And it is Australian produced; it is not imported. This December the government is going to put a tax of 2.5c a litre on the cleanest fuel we have on the planet. Of course, by 2015 that will go to 12½c. I have been around long enough, and I am sure others in the chamber have been too, to know that if you want to lose an election, you should upset the taxidrivers. They get 90 million taxi fares a year and 95 per cent of the cabbies' vehicles run on gas—and you are going to tax the cleanest fuel, which causes the least pollution. That is the way to get the taxidrivers talking to those 90 million people they cart around every year. If you want to lose an election, get the cabbies on the wrong side of you. It is just amazing.

The biggest loser from this tax will be regional Australia. Already regional Australia has the highest electricity costs. The 10 or 15 per cent added to our electricity bills is on a higher base for regional Australia. The government says agriculture is not included. What about the increases in the price of electricity used for running farms and workshops, for piggeries or irrigation pumps? What about the fertiliser? What about the fuel? Those in regional Australia are the ones that are going to pay the most.

It is interesting that New South Wales Treasury figures show that the carbon tax will lead to 31,000 jobs being lost in that
state alone, 26,000 of which will be in regional Australia. The Hunter will be the hardest hit, with over 18,000 people likely to lose employment. But that does not seem to worry the member for Hunter, Joel Fitzgibbon. Maybe he does worry but is too frightened to speak out on this very issue. That is what is going to happen to jobs, according to the New South Wales government’s Treasury figures.

The Senate Select Committee on the Scrutiny of New Taxes held a hearing in Tamworth. I often talk in this place about the Bindaree Beef abattoir, based in Inverell, which employs 630 people. They are competing on a world market, trying to export beef into places like Korea, Japan, and even Europe, the home of subsidies—which hopefully will stop soon now that those governments are all broke. And it is time that America dumped their subsidies on their farmers as well. This tax is going to cost Bindaree Beef $1.74 million in its first year.

Just a couple of weeks ago the abattoir in Grafton fell over. A lot of jobs were lost. It is a tough industry; I know it is a tough industry. I could take you to many places where the abattoirs have shut down. I could take you to Coonamble or across to Byron Bay or to Gunnedah or to Mudgee. I could take you down to Forbes. We have had troubles at Wagga Wagga. We are going to put this cost on Australian meat processors, but their competitors overseas are not going to face it. JBS Swift is a Brazilian company that has invested in many abattoirs here in Australia. This is going to cost their largest abattoir at Ipswich $3.3 million a year.

Let us look at our regional councils. The Tamworth council have announced that they will need $300,000 extra just for electricity. There will be extra road-building costs. For what? What is it going to achieve? I have already given you the figures for the increase in China's CO₂ emissions. This very tax is an attack on regional Australia.

The Australian Dairy Industry Council estimates that dairy-farming families may be up for an additional $5,000 to $10,000 a year because of the carbon tax. This is after what the dairy industry is going through with its price war, led by Coles, of $1 a litre milk. As Woolworths has said, it is unsustainable. We have a situation now where Coles sells two litres of milk for $2 and two litres of water for $2.75. At least the milk is transported refrigerated. Now water, free from the sky, is 35 per cent more expensive than milk. This is how crazy this situation is. Yes, the dairy farmers will cop it. Rice farmers will see their costs increase by $10,000, sheep farmers by an average of $1,000 and cotton farmers by $10,500.

I want to go to the issue of agricultural aircraft. They have had tax on their fuel tripled. In a submission to the Senate inquiry, David Boundy of Superair, Armidale, who employs 20 people and operates 10 aircraft, said the carbon tax is going to cost his business $30,000 to $40,000 extra in fuel costs alone. When graziers in the New England want to spread some fertiliser to keep the quality nutrition in their grasses, they might say, 'I am going to spend $50,000 this year on top-spreading fertiliser.' Under this scheme, they will spend the same amount—$50,000—but they will be able to put out less fertiliser. Therefore their productivity is on a slide. Isn't the government aware of what productivity is?

We are talking about increasing our food supply for the expected nine-plus billion people in the world by 2035 or 2050, whenever it is. We tipped over to seven billion this week. What is this tax going to do to increase food production? It is not going to do anything at all. In fact, there are
incentives for farmers to sow their country down to trees. When we are going to take up so much of our good farming country to grow trees, we will be looking at a situation where we will have to turn into termites and eat trees! It is simply outrageous.

I want to talk about the cement industry. About 18 months ago at Rockhampton a cement factory closed. Only a couple of months ago Kandos closed. There would hardly be a farm or a town around Australia that has not had a bag of cement from Kandos. I think about 97 direct jobs were lost, plus those of the truckies and everyone else who rely on the factory. They are closing because they are facing cheap imports, with a high Australian dollar brought about by high interest rates, brought about by excessive government spending. That is what these businesses are facing.

I have mentioned the dairy industry and now I want to talk about the housing industry. The Master Builders Association estimates that a carbon price of $23 a tonne will add $5,000 to the cost of a modest home. The move from a five-star to a six-star energy efficiency rating will add around $9,200 to the price of the same home. This means an overall additional cost of $4,000 to build a house. Let us look at the brick industry. In evidence to a Senate inquiry, Namoi Valley Bricks at Gunnedah said that it uses $120,000 worth of electricity; $400,000 worth of coal; and $120,000 worth of diesel. Namoi Valley Bricks runs on a profit of two to three per cent and their cost of production will go up by five per cent. AUSVEG said that the cost of food will increase for its 9,000 vegetable and potato growers, and it will only get worse when the diesel tax comes in. Electricity for irrigation and refrigeration will be the killer for these industries. And to achieve what? To achieve nothing. Our emissions are going up by 43 million tonnes.

Let us go to the transport industry. I am sure Senator Conroy would be very interested to hear again the words of Mr Sheldon, the boss of the Transport Workers Union, when I asked him about the 1 July 2014 extra tax of 6.85c a litre on our truckies. Our truckies use eight billion litres of fuel a year. There will be $510 million of extra tax on the truckies who carry our nation. Mr Sheldon said that this was a 'death tax'—a tax that will stress the truck drivers and the trucks and more people will be killed on the road. The Transport Workers Union is saying that, Senator Conroy. I hope you are listening to this. This is clear evidence of the absolute craziness of this whole tax scheme, which will achieve absolutely nothing.

We now come to the issue of the emissions trading scheme. In 2020, Australia will purchase around $3½ billion of carbon credit permits from overseas. This is where it will be opened up to all the fraud in the world, literally. We are going to have the carbon cops here, in Australia, saying to businesses: 'Show us your books. If you don't keep them for five years, you have got two years jail. That's what you'll face. If you don't give proper information, you'll face up to 10 years jail.' Who is going to police these carbon credits from overseas? I believe there is already an inquiry in Europe into carbon credits and the fraudulent activities involving them. And this is going to save the planet? It is simply outrageous.

The climate has been changing for thousands upon thousands of years. As I said recently, during the July break I took a week off. I headed up to Queensland to the Whitsunday Islands. I spent four days driving on the road and three days on the islands. I read the history of the Whitsunday Islands. Eighteen thousand years ago they were not islands; they were joined to the mainland of Australia. Ten thousand years ago the globe warmed. The ice over the
mainland melted and now we have the islands. What caused the globe to warm 10,000 years ago? Perhaps it was coal fired generators? But they did not exist then. Was it the truckies carting stock and all sorts of other supplies around the nation? No, they did not exist. Climate change has been happening for thousands of years and it will continue to change, no matter what you do with this tax. This is a deceitful tax, and you can be guaranteed that if the coalition win the next election it will be buried. Whether or not it takes a double dissolution, it will be buried.

I want it to add one other thing. Many around here would be aware that in New South Wales, Queensland and Western Australia the coal fired generators are owned by the states. Macquarie Generation, located in the areas of Singleton and Muswellbrook, New South Wales, produces 40 per cent of the state's electricity. It is owned by the state of New South Wales. I suggest that some of the government senators have a look at the Australian Constitution and particularly at the second part of section 114, where it clearly states, 'nor shall a Commonwealth impose any tax on property of any kind belonging to a state'. Where does this tax stand in relation to the Constitution? Doesn't it overrule this place? Doesn't it clearly state that the government cannot put a tax on coal fired generators that are owned by a state? They are the property of the states of Queensland, Western Australia and New South Wales. I think it is something that should be looked at. The next thing we know is some constitutional lawyer will come in and say: 'This whole carbon tax on the coal fired generators owned by the states is against the Constitution. Tear it up and throw it in the bin and start again.' This is what we are facing. This is one of the craziest schemes ever put forward. The government should come up with a good environmental policy to look after our farmlands, our rivers and our countryside. We have already had the truckies get onto the Euro 5 motors, which produce far less pollution than the motors we had in the old times. However, the Euro 5 motors do use 10 per cent more fuel, and the more fuel they use the more CO₂ they produce. But they do not produce the sulfur, the carbon monoxide and the other toxic emissions that were produced by the old 400 Cummins and GMs et cetera that we used to drive some years back. We can do our bit for pollution. We do not want to see smog over the cities of Australia or anywhere else around the world. We do not want to see the country burning in a blaze of bushfires. But with the Greens policies we will continue to see plenty of bushfires while our national parks are unmanaged and they will not allow grazing to reduce the fuel levels in them. If the government had a good environmental policy, there would be support for it all around this chamber. This is a bad policy. It is bad for our nation, bad for our economy, bad for our environment, and it will not be supported on this side of the chamber. (Time expired)

Senator RONALDSON (Victoria) (21:28): What a great pleasure it is to follow a fantastic speech such as that. It is very, very good. Senator Conroy interjecting—

Senator RONALDSON: Minister, with you in charge of the NBN, I am not surprised that you are a bit critical of policy debates. If you keep on doing what you are doing with the NBN, we will not need a carbon tax after you are finished with us, my friend. After you have broken the country with your NBN, we will have a talk about policy. Nothing coming from you in relation to this legislation is going to convince anyone that it...
is anything other than an abject failure. Thank you for the interjection. I appreciate it. I am happy for you to contribute again during the debate.

In relation to the clean energy bills, I would like to say the following. We need to put this debate in the context of our contribution to global emissions. It is 1.3 per cent. Even though we are going it alone, effectively, in a global sense, we are—

Senator Polley: We're a long way behind.

Senator RONALDSON: I will take that interjection as well. That is blatantly and patently wrong. What are the Americans doing, Senator Polley? What are the Canadians doing, Senator Polley? What are the Chinese doing, Senator Polley? What are the Indians doing, Senator Polley? The bottom line is that you and your better half, the Greens—your partners in economic and political crime—are going to destroy this country. You know and I know that it will have a negligible effect on emissions. But what you and the Greens want to do is to turn this country and this economy upside down on the back of a so-called moral obligation. I can tell you that, if I need a moral obligation lecture from anyone, it will not be from the Australian Greens. I would be more inclined to take one from the Labor Party; I certainly will not be taking one from the Australian Greens.

I thought the most interesting comment of the week was the comment from the Canadian foreign minister, John Baird, who told the Australian on 31 October:

The people of Canada spoke unequivocally about that at the last election …

I think there's only one member of parliament who advocates it, and that's the lone Greens member.

What a marvellous chamber it would be if that were the case in this country—to have one lone Greens member. I think it is also interesting to look at what President Obama has done in the States. He is not proceeding with it. These massive countries are not doing to their economies what we are doing to ours, so there will be very little prevention of climate damage.

There was also an interesting comment from Tim Flannery, who said in an interview with Andrew Bolt on MTR:

If we cut emissions today, global temperatures are not likely to drop for about a thousand years.

That was on 25 March this year. I will read it again:

If we cut emissions today, global temperatures are not likely to drop for about a thousand years.

This is from Tim Flannery himself. But leave that to one side because, as Senator Cormann said, our emissions will actually continue to increase. So let's put to bed this debate about cutting emissions.

Let's get down to the nuts and bolts of this issue, and that is the extraordinary damage it will do to our economy. It will provide a $9 billion slush fund for the Gillard government in its first year alone. Let's have a look at the impact on my own home state of Victoria. It is quite horrifying. Independent modelling commissioned by the Baillieu government, conducted by Deloitte Access Economics, shows the true impact of the Gillard government's carbon tax on Victoria. For starters, there will be 35,000 fewer jobs than there would be without the carbon tax. Investment will be down almost $6.3 billion, or 6.6 per cent. Per capita income will be more than $1,050 lower and the Victorian state budget is predicted to be almost $660 million worse off. I want to turn to the fine regional seats of Ballarat, Bendigo and Geelong—one of which I live in, as honourable senators know, and that is Ballarat. By 2015, according to this independent modelling, 663 fewer jobs will
have been created in the City of Ballarat than would have been if the carbon tax was not introduced. The local economy will suffer, with business output being reduced by $75 million. In Bendigo the figures are 705 fewer jobs and business output being reduced by $79 million. There will be 1,296 fewer jobs created in the City of Greater Geelong than there would have been if a carbon tax were not introduced and the damage to that economy will be $152 million. These are regional centres and there will be $75 million, $79 million and $152 million of economic damage—and for what, I ask.

In Geelong manufacturing is worth $13.8 billion. It accounts for half of all revenue generated in the Geelong region. This is what the acting mayor said when this toxic tax was announced:

Geelong does have a large percentage of trade exposed and emissions intensive industries—whilst we accept the need for Australia to contribute to a global reduction of carbon emissions it’s vital that the Geelong region is not unfairly disadvantaged.

... ... ...

Local industries must be supported so they can remain competitive and that local jobs are not put in jeopardy.

If products that are currently manufactured in Geelong are forced offshore the effect will be self defeating in terms of global carbon emissions.

Mr Acting Deputy President, if you were one of the local members in Geelong and this package of bills was put into the lower house and you knew what would potentially happen to your region, would you not think it appropriate to stand up and at least explain yourself? The member for Corangamite did not have the intestinal fortitude to stand up in the chamber and explain himself. Why was that? Because he knows, as I know and his constituents know, that he was elected on the back of a lie. There are some other members in marginal seats. The members for Bendigo and Ballarat are now in marginals as a result of this toxic tax. At least they had the guts to stand up in the other place and explain their actions. The member for Corangamite did not have the intestinal fortitude to do so, and for that he stands utterly condemned. I just wonder whether it might be related to the following economic damage that this toxic tax will do in his electorate. Around Colac in his electorate there is a very big and intensive dairy farming industry. Dairy farmers, according to independent modelling, will pay between $5,000 and $7,000 a year more for electricity and other costs. According to the National Farmers Federation, the average cost to farmers will rise by $1,500 a year and this will erode net farm income by 2.4 per cent. Research from the Australian Farm Institute shows that the costs of an average sheep farm will go up by $1,000 per year on average, while for the average cotton farm the costs will go up $10,500 per year on average. According to AUSVEG, the national peak body for vegetable and potato growers, the carbon tax will increase the cost of running irrigation systems and this will again increase the costs of fresh vegetables and potatoes. According to the Australian Coal Association, 4,700 mining jobs will be lost. In my home state the coal-dependent Latrobe Valley will be hit particularly hard. The Minerals Council of Australia has made it quite clear that mines that are marginal will close down.

The other thing about Mr Cheeseman’s electorate is that it is rapidly growing with very substantial housing development. This toxic tax will add $5,000 to the cost of building a new home, according to the Master Builders Association. For a $350,000 home, this is effectively a 1.5 per cent interest rate impost. We have had the government boasting about a 25-basis-point reduction today, but their own policy will
make sure that those young families in Darren Cheeseman's electorate are potentially going to pay a tax impost that is effectively a 1.5 per cent increase in interest rates.

We have all heard about the cost of electricity prices, but what people living in metropolitan Melbourne, Sydney and Canberra do not realise is that the impost of electricity prices in regional areas is substantially more, upwards of 30 per cent more. I would not expect the Greens to understand that. I would not expect the Greens, who spend the great majority of their time swanning around metropolitan areas, to understand it. Go out into those regional centres. See what the cost-of-living impost are for those living outside metropolitan areas and then come back in here and debate whether this is or is not a good tax. Schools will pay nearly $200 million more in electricity prices over four years. This is a very, very bad tax.

I am pleased that the Minister for Finance and Deregulation is here tonight. I want to ask the minister about some of the comments that she has made previously. I will just give some quotes, Minister. This is an interview you did with Marius Benson on ABC NewsRadio on 16 April 2010. I will sit down immediately if you stand up and say that you have been misquoted. As soon as you move, I will sit down. I suspect that I will not be sitting down. I quote:

A carbon tax is a less efficient way in the Australian government's view of dealing with this issue.

In a speech to CEDA at the State of the Nation conference on 23 June 2010 you said:

Unfortunately, a carbon tax is not the silver bullet some people would think.

Misquoted, Minister? I do not think so. The doozy of the lot is this from Sky News on 30 April 2009:

You know you cannot have any environmental certainty with a carbon tax.

If that is the quote then what are we doing here? It is not a silver bullet, as you have said. The people who think it is a silver bullet are indeed your own party, Minister, and your group of acolytes who sit down the other end of this place.

The ACTING DEPUTY PRESIDENT (Senator Fawcett): Order! Address your remarks through the chair, Senator Ronaldson.

Senator RONALDSON: My apologies, Mr Acting Deputy President. Through you, to the minister, the group that the minister is now in coalition with thinks it is a silver bullet. The group that the minister is now in cahoots with in this coalition government thinks that this tax is going to be good for this country. This Labor-Greens alliance, run by Senator Bob Brown not by Ms Gillard, is going to bring this country to its knees.

Senator Wong: Mr Acting Deputy President, a point of order: I am very happy if Senator Ronaldson wants to give me leave to read out the full quote that he just gave to the chamber, which he selectively quoted from. I am also happy to respond in the committee stage. But I do not want him, as is his wont, to make a whole range of inaccurate assertions based on me giving him the courtesy of holding the floor in the second reading debate.

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

Senator RONALDSON: There certainly is not any point of order because, as I said, these quotes are all in context: 'Unfortunately, a carbon tax is not the silver bullet some people would think!'

Senator Wong: Read the rest of it. Go on. I dare you. You won't do it.
Senator RONALDSON: The words speak for themselves.

Senator Wong: You won't do it!

The ACTING DEPUTY PRESIDENT: Order! Standing order 197 says that senators have the right to be heard in silence.

Senator RONALDSON: I think the minister protests too much. These quotes come back to haunt people. There is another series of quotes—

Senator Wong: You just mislead all the time, Rono. That is why they're coming to get you. That is why you're not going to be on the front bench.

The ACTING DEPUTY PRESIDENT: Order! Senator Wong, I bring to your attention the fact that you are consistently and wilfully disobeying standing order 197.

Senator Wong: Mr Acting Deputy President, I rise on a point of order. I trust that you will be as quick when Senator Brandis and others on that side persistently interject on government senators.

The ACTING DEPUTY PRESIDENT: Senator Ronaldson.

Senator RONALDSON: I find this touchiness quite fascinating. It is, of course, driven by the polls, which show the minister and every other Labor senator behind the minister what the impact of this toxic tax is. Everyone who is No. 3 on the ticket over there is extraordinarily nervous about what the polling is saying because there is a fair chance they will not be back here. They have got into bed with the Australian Greens and they have been conned into a policy that at least half of those on the other side will tell you in private is a bad policy and a rotten policy, and they simply do not want it. If the minister is concerned about quotes, she might like to listen to this one again. This quote is going to determine the demise of this very bad government—probably the worst government. When people are talking about this government as being worse than the Whitlam government you know it is a diabolical failure.

Senator Wong interjecting—

Senator RONALDSON: Every time the minister interjects in a second reading debate like this she diminishes any intellectual rigour that she might attempt to bring to the debate, and she demeanes herself. I am a bit surprised, but I understand the enormous pressure that the minister is under.

The statement to the Ten Network on 16 August 2010 was:

There will be no carbon tax under the government I lead.

I am wondering, now the minister is here—she has been very happy to interject for the past 10 minutes—through you, Mr Acting Deputy President: Minister, are they indeed words used by your leader? Yes, they are.

Senator Wong: Mr Acting Deputy President, I rise on a point of order. I am happy to respond, and perhaps the senator might remind the chamber that he said:

I do accept the need for an emissions trading scheme …

Senator Ronaldson, you said that in this place.

The ACTING DEPUTY PRESIDENT: That is no point of order.

Senator RONALDSON: What I said in this place is that anyone who is stupid enough to get ahead of the rest of the world and destroy this economy deserves to be politically removed themselves. Indeed, I have some other quotes here. This one is from Wayne Swan, the Treasurer, in relation to the carbon tax just before the 2010 election:

We have made our position very clear. We have ruled it out.
And again:

... what we rejected is this hysterical allegation that somehow we are moving towards a carbon tax from the Liberals in their advertising. We certainly reject that.

That is from the Treasurer just prior to the election. Every one of those on the other side was elected on the back of a lie. The member for Corangamite was elected on the back of a lie, but he did not even have the intestinal fortitude to get in and explain himself. At least those on the other side have stood up to try to justify the unjustifiable with this absolutely toxic tax.

There are two ways of addressing this issue. One is the direct action plan outlined by the Leader of the Opposition. The Greens and the Labor Party can argue at the margins about its effectiveness, but we believe it is going to work and we believe that it is affordable. What is not in dispute, and has not been in dispute since this legislation was introduced, is that all this toxic tax will do is cost our kids jobs. It will cost jobs now and it will cost jobs in the future, and it will do so on the back of absolutely no identifiable environmental outcome. That is the most galling part of this; there is no identifiable environmental outcome for this. The only outcome is the loss of jobs. The only outcome is that every single Labor senator was elected on the back of a lie, every single Labor member of parliament in the other place was elected on the back of a lie, and the Australian community, when given the opportunity, will make absolutely sure that they are— (Time expired)

**Senator PAYNE** (New South Wales) (21:50): I am not the first person to say in this place or in Australia that this carbon tax legislation represents an absolute betrayal by this government and by this Prime Minister of the Australian people, and I most certainly will not be the last. The one thing you can say about the Australian electorate is that it has a particularly good memory for deceptions like this one. The promise was: There will be no carbon tax under the government I lead.

The fact that we stand here in this chamber, and in recent weeks in the House of Representatives, and spend time on this debate and on having this discussion exposes that statement for the absolute blatant lie that it was.

What the next election will represent, therefore, is an opportunity for Australians to pass judgment on that betrayal by 72 Labor members of the House of Representatives of their own communities, their own small businesses, their own families, their own commuters and their own workers in every conceivable corner of their own electorates. That election will ensure, we hope, that Australia is not burdened with an expensive tax that will increase cost-of-living pressures for all Australians, will export jobs overseas and, as we know, will not make any material contribution to slowing the rate of climate change. The next election will be, amongst other things, a judgment by the Australian people of this carbon tax. We will continue to fight it. We will give the community a say on this pervasive tax, something the Labor government was not prepared to do. Frankly, that speaks volumes.

This carbon tax will do nothing to slow the rate of change of the earth's climate. The government's own modelling reveals that Australia's carbon emissions will actually increase, notwithstanding the price Australia will pay for imposing such a tax on itself. Emissions are forecast to go from 578 million tonnes in 2012 to 621 million tonnes in 2020. The legislation we have before us, rather than bringing down our emissions, will require Australia to purchase carbon credits overseas. It is a tax predicated on the deliberate transfer of Australian wealth to?
other countries at a time when our manufacturing sector is already under pressure. It is in fact designed to export Australian jobs, not even to countries that will improve the efficiency of manufacturing but to countries whose factories produce a higher level of emissions than our own produce does. All it will do is move the problem to other parts of the world.

If it is a global problem, how are we doing our part by paying other nations to produce carbon intensive products that we can actually produce more cleanly? This tax is not designed to help the world; it is designed to give this government an excuse to wash its hands of the issue. It is environmental vanity on so many interpretations, and it is Australians who will pay the price in money and jobs. It is Australians who will bear the brunt of this.

Some in the community have unfortunately been misled into believing that this tax, even though it will export our emissions overseas at great cost to Australia, is at least part of a global system that will work to bring down overall carbon emissions across the planet; that we are playing some part in an international effort to mitigate the effects of climate change. In fact, that is wrong, plain wrong. The Productivity Commission, one of the government's own key economic advisory agencies, has provided quite clear advice about the international linkages that this sort of scheme will have. The government set terms of reference for the Productivity Commission, one imagines, according to the time-honoured principle that one should never commission a report unless one knows what the findings will be. Despite this, the Productivity Commission clearly stated that not one other country has or is bringing in an economy-wide carbon tax or emissions trading scheme.

The much lauded European ETS does not cover the whole economy and it provides so many free emissions permits that it raises a relatively small amount of money a year, about $500 million. We have a much smaller population and a smaller economy and, with that, we will be paying around $9 billion a year into government coffers as part of this scheme. The US, as Senator Ronaldson referred to, has abandoned consideration of a national cap and trade scheme, and China, a country that will continue to industrialise and grow at the most extraordinary speed, a country that the government has pointed to as some shining light of climate change action, will increase emissions by 500 per cent by 2020. Climate change is a global problem, yet alone amongst leaders of the world's major economies our Prime Minister apparently believes it has a local solution.

But this carbon tax is not designed to solve climate change; it is designed to indulge the Labor-Greens alliance to prevent this fragile and incompetent government from falling apart. The Prime Minister is bargaining away Australian people's money in her gamble with the Greens on this package. It is not going to assist the world in tackling climate change.

Some would argue, apparently, that even though we are going it alone at this stage we are taking a moral stand—and in fact I recall the previous Prime Minister calling climate change the greatest moral issue that ever was—that will encourage other, more polluting countries to adopt similar schemes and drive down global emissions. But surely the prospect of other countries following such steps—and one questions that logic anyway, based on the evidence available—has also to be weighed against the cost to the Australian people of taking this particular stand? Not only will this carbon tax fail to fix the environment; it will damage the Australian economy, it will take money out
of the wallets of ordinary Australians and it will send Australian jobs overseas. The government will be taxing the Australian economy to the tune of $9 billion a year—resulting in possibly a 10 per cent hike in electricity bills in the first year and a nine per cent hike in gas bills in the first year—and stripping $4½ billion from the Commonwealth budget, all at a time when the average Australian family is struggling with rising costs of living.

The government promises compensation. Even if the modelling is correct—even if we were to accept that—the compensation will be adequate only for the first three years of the carbon tax, because after that time the price the government levies on carbon emissions will be determined by the market, not by the government. Even the government's own modelling predicts that the price will increase from $23 a tonne to $29 a tonne by 2016, rising to $37 a tonne in 2020 and a potentially devastating $350 a tonne in 2050. The Centre for International Economics has forecast a price of $49 a tonne as early as 2016. Of course we know that the Greens, the government's alliance partner, who have insisted on this tax, have said that the price must be at least $40 a tonne to shift electricity generation from coal.

How can Australians take this government at its word—you and I both know, Mr Acting Deputy President, that they cannot—when it promises compensation knowing full well that just three years after the tax is introduced it will increase far beyond the compensation offered, and in a manner over which the government has no control? Why on earth would you take a government that has betrayed its people at its word for that as well? You would not.

Every single Australian will be affected by this large, pointless and increasing new tax, but it will certainly hurt some more than others. As the Senate would be aware, the cost of housing in Australia has been increasing for many years and housing affordability is a very significant challenge. It has now reached a point where the dream of home ownership and even the prospect of renting is far out of reach for many Australians, especially those Australians who were unlucky enough not to be able to buy a house before the turn of the century, especially young Australians. Not only does the government seem to have very little interest in this and other cost-of-living issues; it is introducing a tax that is going to drive house prices up even further.

The Gillard-Greens government wants to force Australians to cut their spending by imposing a carbon tax, apparently, but will not lead by example and live within its own means. What a carbon tax of $23 per tonne will do is add at least $5,000 to the cost of building an average, modest new home, including the cost of construction and developing the land, according to the work of the Housing Industry Association on this issue. The residential building sector, as we all know, is dominated by independent subcontractors—your average, everyday subbie. We all use them for something and you cannot build a house without them. They will receive no compensation under the carbon tax arrangements. What are those small businesses supposed to do? The carbon tax will add $36 a month—that is $432 a year—to the cost of servicing the ABS defined average mortgage on a new owner-occupied dwelling of $340,600 based on the Reserve Bank average standard variable mortgage rate of 7.8 per cent. What of rents? Rents will rise even further as investors in new housing pass on the cost of servicing their large mortgages to their tenants through higher rents.

Debate interrupted.
ADJOURNMENT

The DEPUTY PRESIDENT: Order! I propose the question:
That the Senate do now adjourn.

Huonville High School

Senator BILYK (Tasmania) (22:00):
Recently I had the pleasure of officially opening the Building the Education Revolution project at Huonville High School in the Huon Valley, south of Hobart. Huonville High was built in 1940 and has served for 70 years as the heart of a close-knit, determined community. It has educated the sons and daughters of farmers, foresters, fishermen and orchardists. Some of these sons and daughters of the valley left to build for themselves new lives in the city. Others stayed, using the knowledge gained at Huonville High, to build themselves a strong, proud community in the valley. All owe much to Huonville High.

I am pleased to say that Huonville High received $586,232 under the National School Pride Program and the Science and Language Centres for 21st Century Secondary Schools element of the BER. It was an investment in school infrastructure the likes of which Huonville High has never seen. The funding was used to build new science facilities, upgrade classrooms, upgrade the administration area to meet the needs of a 21st century school, build undercover walkways and improve outdoor areas.

For the first time in the school's 70-year history the students have a new science lab, purpose built to meet the school's needs and to meet the students' needs. Each bench has a sink and taps for connecting Bunsen burners. A double-sided fume cupboard has been installed so students can perform experiments in safety and with the help or supervision of the science teacher or laboratory technician. Adjacent to the new science lab there is a dedicated science lab prep room, where all the equipment is stored in purpose-built units and where the school's science laboratory technician can prepare all the equipment and materials needed for experiments in a facility designed for that task.

At Huonville High School the BER supported the employment of 20 workers during the global financial crisis. This makes a considerable difference to the local community and the local economy.

The BER opening coincided with the belated 70th birthday celebration for the school, and I offer my sincere congratulations to the school community, past and present, on achieving this significant milestone. Mr Harry Grimsey, a former student at the school and life member of the parents and friends association, reminded those attending the BER opening of what the school was like in its early years. The school was so starved of funds it was unable to purchase equipment needed to conduct science classes. Harry—with his fellow students, the help of the school's first science teacher and the equipment in the metalworking department—blew glass rods into test tubes and beakers and made the other equipment they needed to hold chemistry classes.

The new science facilities built under the BER are a world away from the facilities used for the first science classes back in 1942. A lot of the credit for the project needs to go to the parents and friends association and to members of the school community, who lobbied ceaselessly for over 10 years to have dedicated science facilities built at Huonville High.

Those opposite say that the BER scheme was a waste. Those opposite say that the government should not have spent $14 billion on school infrastructure, the largest investment by an Australian government in schools in the history of this nation. Those opposite should hang their heads in shame.
that they have opposed improvements to Huonville High. Huonville High deserves first-class facilities, because Huonville High is a very special school. Not only is it an integral part of the community in Huonville and the Huon Valley but, through the various programs run and supported by the students, it is an integral part of the global community.

Huonville High School has a Student Working Against Poverty, or SWAP, program, which was founded in 2010 after a group of 22 students and staff travelled to Vietnam and Cambodia exploring the culture and cuisine of these countries and helping to build a food fish pond at a small school. Struck by the harsh realities of life in orphanages and on the streets, the students were determined to improve the lives of people living in impoverished communities. Currently involving 50 students across all grades, SWAP aims to raise awareness of the causes and consequences of poverty at school and within the local community and raise money to support poverty based and humanitarian projects around the world.

Another project trip to Vietnam and Cambodia is planned for 2012, with 25 students booked to go and already undertaking a comprehensive program of learning.

The SWAP program teaches students about topics such as the Millennium Development Goals, microfinancing, individual aid and development programs in different countries, refugees and asylum seekers, and taking action against poverty. SWAP has been particularly active in organising a number of awareness-raising activities in the last 12 months. These have included Flight Against Poverty, where year 6 and 7 students created and flew their own kites decorated with antipoverty messages; hosting the Global Poverty Project's 1.4 Billion Reasons presentation, with schools from all over the Huon Valley attending; and creating a hands-on activities based display for a Youth Week event—the Feelgood Festival held at the Hobart City Hall.

With an emphasis on creativity and participation, SWAP fundraising activities have been diverse, informative and, at times, entertaining, raising significant funds for the projects they support. The community of the Huon Valley has strongly embraced the SWAP program, with individuals, organisations and businesses offering in-kind support and assistance at events and fundraisers. The SWAP fundraising efforts have included Coffee for a Cause, where students learn to make quality espresso coffee at school and then work as part of the barista team at different community events, including Taste of the Huon, the Winter Challenge, the Huon Show and the Peace Festival; the SWAP shop at DS Cafe in Huonville, where the students are involved in staffing, in sourcing products for sale, in maintaining accounts and in stock control; Woodchop Day, where, with the generous donation of a truckload of firewood logs from a local family, local community members chopped the logs into firewood, which was then sold off in one-tonne lots; and a truffle dinner, which, through the generous donation of truffles by Perigord Truffles, the time and skill of a local chef and his team and the help of Huonville High VET Hospitality and SWAP students running front of house, a five-course menu was presented to over 60 guests, raising $4,000. SWAP also organises a variety of raffles during the year, including a pre-Christmas auction of goods and services, which raised over $2,500 last year. SWAP uses the funds raised to support many poverty based and humanitarian projects in Cambodia, Laos, Timor-Leste and Vietnam. In Siem Reap, Cambodia, these projects include constructing a library for the Enkosa River School, purchasing a block of land for the COSO orphanage to build a new orphanage, and constructing a fish pond at
the Charm Bork Haey Village School. In Laos, SWAP has funded the distribution of the book *Big Brother Mouse* to promote literacy amongst young Laotian children in a remote village. In India, funds from SWAP were used to offer cataract surgery to nomadic communities living in the remote Indian Himalayas as well as to provide a testing machine to diagnose serious stomach diseases amongst Tibetan refugees living in northern India. In Timor-Leste, funds raised by SWAP have assisted World Vision to create seed banks, improve food storage and establish kitchen gardens.

The work of the SWAP students has not gone unnoticed in the community, and the SWAP program has been recognised locally and nationally for its efforts. In 2009 the SWAP program won the Best Small Business Exhibit at the Huon Show, for Coffee for a Cause. In 2010 it won the Human Rights Week Organising Committee's Award for Humanitarian Action in Schools for Tasmania as well receiving a Highly Commended High School award in the sustainability category in the national Kids Helping Kids Awards. This year it won a national Anti-Poverty Week School Award in the Connections UnitingCare Anti-Poverty Week Awards.

In closing, I would like to congratulate Huonville High for the SWAP program, and for the contribution that it makes to our society. It is heartening to see teenagers engaging with their community and the world and actively working to improve it. Congratulations and thanks need to go to the principal, the staff and of course the students at the school. The fundraising and awareness-raising efforts of these students will make a positive impact on the lives of thousands of people they will never meet. Through their efforts, they will help to alleviate poverty and hunger, to treat and prevent illness and disease and to reduce the great human suffering that comes from these. They should all be proud of their efforts and we should all be very proud of them.

**Federal Magistrates Court**

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (22:10): Tonight I want to acquaint the Senate with the latest episode in the chapter of accidents which has been the Rudd-Gillard government's attempt to restructure the federal judiciary and, in particular, the epic incompetence which has characterised its dealings with the Federal Magistrates Court.

As honourable senators would know, the Federal Magistrates Court was established by the Howard government in 1999. Its purpose was to create a federal court of general jurisdiction, to deal with matters which were of such a nature as were not appropriate to be dealt with by the Federal Court or the Family Court—the Commonwealth's two principal trial courts. These were matters of a less complex and more routine character.

Since its establishment, the FMC has proven to be an invaluable part of the judicial arm of government. It swiftly became the Commonwealth's principal trial court and court of summary jurisdiction, dealing with less complex cases in a pragmatic and cost-effective way, while freeing the Federal Court and the Family Court to deal exclusively with larger and more complex matters.

As revealed by the annual report of the FMC, which was tabled in the Senate yesterday, in 2010-11 the FMC dealt with 90,714 federal law matters, including 84,094 family law matters and 6,620 other federal law matters. Eighty-six per cent of family law matters which were filed in 2010-11 were dealt with in the FMC. In every case, were those matters to have been dealt with by the Family Court, the process would have
been more complex and consequently have taken longer to complete, and the proceedings would have been more costly to the parties.

Notwithstanding its demonstrable efficiency and economy as the workhorse of the federal judiciary, it is widely known within the legal profession that the Rudd-Gillard government has been no friend of the Federal Magistrates Court. In March 2008 the incoming Attorney-General, Mr McClelland, instructed a consultant, Mr Des Semple, to conduct a review of the operation of the family law system and, in particular, the relationship between the Family Court and the FMC.

The Semple report was published on 20 November 2008. It recommended that the FMC, in effect, be collapsed into the Family Court, while the remaining federal magistrates would become Special Masters of the Federal Court. This radical proposal, which would have eliminated the court as a separate branch of the judiciary, was, bizarrely, justified on the slight ground of saving an estimated $2 million per annum. Legislation was foreshadowed to carry this restructure into effect. Three years later, the legislation has still to be introduced into the parliament, and it has no place on the business list for the remainder of the year. Meanwhile, in anticipation of the passage of legislation which after three years we are yet to see, the government, by executive action, effected a de facto merger of the courts by combining their registry functions and appointing the CEO of the Family Court, Mr Richard Foster, to be the acting CEO of the FMC as well. This arrangement, which was described as temporary, remains in being after all these years.

Then, in 2009, the High Court handed down its decision in Lane v Morrison, which struck down the Australian Military Court as being non-compliant with chapter III of the Constitution. On 10 September 2009, I offered the government a solution to the problem posed by Lane v Morrison, and a way out of the mess of its own creation arising from the uncertain fate of the FMC. In a speech in this chamber, I suggested:

When … the government has to decide with what judicial apparatus to replace the Australian Military Court … the obvious solution would be to have a military division of the Federal Magistrates Court or certain dedicated federal magistrates to deal with military justice matters.

This is but one example of the tremendous utility to the Commonwealth of having a general federal court of summary jurisdiction that can be divisionalised and can deal with all matters, including military justice matters, arising under Commonwealth law.

On 24 May 2010, the government conceded the coalition’s view that the FMC should not be dismantled. However, it accepted our position only in part, since the latest iteration of the government's plan for the FMC would still have seen the transfer of its family law jurisdiction—the lion's share of its jurisdiction—to the Family Court. Now, needless to say, this seemingly endless uncertainty about the future of the Federal Magistrates Court—which is no closer to being resolved now than it was when it was first raised in March 2008—has had a devastating effect upon the morale of the court. It is no secret that morale among the members of the court—who, I repeat, now have responsibility for the vast majority of cases commenced in the federal jurisdiction—is at an all-time low.

What has exacerbated the situation further is the fact that federal magistrates, unlike all other federal judicial officers, are excluded from the judicial pension system. As a result, on 17 June this year, some 58 of the 63 federal magistrates commenced legal action against the Commonwealth arguing, in
effect, that by denying them access to that system, unlike any other federal judicial officers, the government was in breach of its obligations under chapter III of the Constitution to preserve the independence of the court, financial security being an essential element of that independence. The case, Altobelli v The Commonwealth, was commenced in the High Court and has since been remitted to the Federal Court for trial. It is a bizarre turn of events: in effect, an entire court suing its own government.

Now a remarkable development has occurred. On 11 October, the Australian Government Solicitor wrote to the solicitors for the federal magistrates. The letter, which appraised the magistrates' pleaded case from the Commonwealth's point of view, contained the following extraordinary paragraph, paragraph 11:

In any event, on the applicants' pleaded case, it seems to us that one of three possible outcomes may follow as a result.

(a) The structure of the Federal Magistrates Court is deficient because it does not expressly provide for a life-long guaranteed pension for Federal Magistrates with the consequence that the Federal Magistrates Act 1999 is invalid.

(b) If not (a), the Federal Magistrates' appointments are constitutionally infirm (and always have been) because of incompatibility with the requirements of Chapter III. This outcome assumes the Federal Magistrates Act is valid because, properly construed, it provides a mechanism either for the Remuneration Tribunal or the Governor-General to determine that Federal Magistrates be provided with a life-long guaranteed pension.

(c) If not (b), then although Federal Magistrates' appointments are not invalid, they could not (and still could not) validly exercise Commonwealth judicial power unless first provided with a life-long guaranteed judicial pension.

This must be one of the most remarkable letters ever written on behalf of the Commonwealth of Australia. What it asserts—and what it foreshadows the Commonwealth will argue—is that, were the federal magistrates' action to succeed, the necessary legal consequence would be that, for one or more of the three reasons set out, no decision of the Federal Magistrates Court is valid, because either the act which created the court is invalid or the magistrates' appointments were invalid or they could not validly exercise judicial power under chapter III of the Constitution.

I should stress that the federal magistrates do not maintain that any of those consequences would follow were their litigation to be successful. But the Commonwealth, in terrorem, is foreshadowing that it will mount such an argument. Think of it: the Commonwealth of Australia, presumably after due consideration, proposes to argue before the High Court that every decision of its principal trial court is potentially invalid. It is going to argue that every divorce, every custody order, every maintenance order, every order made in the general federal law jurisdiction—including every order made in relation to asylum seekers—since 1999 is invalid. It is an astonishing submission. For an Attorney-General or any other official to instruct the Commonwealth's legal representatives to make such a submission and invite such a finding, with the chaotic consequences which it would entail, is extraordinarily reckless. But such seems to be the Labor Party's determination to destroy this court.

What is even more revealing is that the letter was accompanied by a without prejudice offer to settle the litigation on the basis that Commonwealth would not pursue costs against the federal magistrates if they agreed to withdraw their action. The reckless course foreshadowed by the government was as plain a threat as it is possible to imagine.
The Gillard government must end this fiasco now. It must cease its campaign against the Federal Magistrates Court. It must end the uncertainty about the future which has bedevilled the court for more than three years. And, most importantly, the Attorney-General must instruct those who represent the Commonwealth in the Altobelli case not to persist with this extraordinary submission, which, were it to succeed, would cause unprecedented chaos for the Australian judiciary and the Australian community at large.

I seek leave to table two letters from the Australian Government Solicitor to Yeldham Price O'Brien Lusk lawyers dated 11 October 2011.

Leave granted.

Sri Lanka

Senator RHIANNON (New South Wales) (22:20): The Australian Greens support the growing international call for an independent war crimes tribunal to investigate war crimes committed during the 2009 Sri Lankan civil war. Yesterday the BBC reported that the Sri Lankan government's Lessons Learnt and Reconciliation Commission, or the LLRC, will not be making public their report on Sri Lanka's civil war. This has implications for Australia's foreign policy, as Foreign Minister Kevin Rudd, when asked to support a call for an independent war crimes tribunal, said that he would wait to see the final report of the Sri Lankan government's inquiry. Sri Lankan President Rajapaksa established the LLRC in May last year. The LLRC's mandate does not explicitly require it to investigate alleged war crimes committed during the conflict.

In October 2010, Human Rights Watch, Amnesty International and the International Crisis Group declined an invitation to testify before the LLRC, citing its limited mandate and lack of impartiality. In September this year Amnesty International criticised the LLRC, saying:

The Sri Lankan government has, for almost two years, used the LLRC as its trump card in lobbying against an independent international investigation. Officials described it as a credible accountability mechanism, able to deliver justice and promote reconciliation. In reality it's flawed at every level: in mandate, composition and practice.

Commenting on these developments, Amnesty International has stated:

… as it has done often in the past two decades the Sri Lankan government has established an ad hoc special commission, ostensibly to investigate and address wrongdoing, but in fact to deflect international pressure and silence internal critics. Once the report has been handed to the President, which is expected to take place before 15 November, it will be up to him to decide if he will make the report public.

The LLRC clearly does not meet the standards of an international independent war crimes tribunal. While Canadian Prime Minister Steven Harper, British Prime Minister David Cameron and former Australian Prime Minister Malcolm Fraser have all backed the growing international call for an independent war crimes tribunal, the Australian government has continuously failed to show leadership on one of the biggest massacres that has occurred in our region in recent times. The foreign minister, Kevin Rudd, said he 'believed all allegations of human lights violations in Sri Lanka should be "tested, assessed and, if accurate, substantiated."' The critical issue is: who should test, assess and substantiate this data? It is inappropriate and inadequate for the Sri Lankan government to be investigating its own conduct during the war, to investigate its own alleged violations of human rights.

Fundamental principles here are at stake, and they belong not to one government in
one country but to us all. The protection of civilians in armed combat, a principle enshrined in the Geneva convention, is something we all have a duty to uphold. Foreign minister Kevin Rudd has said that his government will wait to see the final report of the Sri Lankan government's own inquiry before considering the need for further investigations. It is extraordinary that the Australian government is waiting on a report from the same regime that is denying bombing hospitals, shelling safe-zones, denying responsibility for the death and disappearances of thousands of Tamils before, during and since the war, despite overwhelming evidence of these war crimes from international human rights organisations.

It was not until August this year, 18 months after then UN spokesperson Gordon Weiss said that up to 40,000 Tamils had died in the war, that the Sri Lankan government admitted for the first time that civilian casualties occurred in the final phase of the war, calling those deaths 'unavoidable'. This is the same regime that has rejected reports issued by Amnesty International, the UN Secretary-General's Panel of Experts on Accountability in Sri Lanka, Human Rights Watch and the International Crisis Group. Sri Lanka's foreign minister, Gamini Peiris, who attended CHOGM last weekend, has reiterated the Sri Lankan government's position towards the UN panel of experts' report: 'It is biased, it violates the rudimentary principles of natural justice. We reject it in its entirety.' He also called the report 'a travesty of justice and preposterous'.

The cynical tactic of the Sri Lankan government has been to deny, deny, deny—in the hope that the outside world will lose interest, will 'move on', will forget about the very serious allegations of war crimes and crimes against humanity that have been documented by the Secretary-General's Panel of Experts on Accountability in Sri Lanka, Amnesty International, Human Rights Watch, and were broadcast so vividly and disturbingly on Channel 4.

Australia is in danger of missing a unique and important opportunity to bring justice to those victims of war who were massacred in Sri Lanka and those people who continue to live in fear and oppression. Our foreign minister should show leadership to address the terrible human rights abuses. Instead, we are in danger of sending a message to other governments in other countries that internal conflicts can be settled by killing civilians, locking up large numbers of survivors without trial and riding out attempts by the international community to hold them to account. Prime Minister Julia Gillard has said there are no plans to relocate the next CHOGM, which will be held in Sri Lanka in 2013. She would have been wise to follow the lead of the Canadian Prime Minister, Steven Harper, who has said, 'Unless Sri Lanka improves its human rights record, Canada will not be attending CHOGM in 2013'. The head of Amnesty International Australia, Claire Mallinson said:

It is an absolute disgrace that Commonwealth leaders have agreed to hold their next meeting in Sri Lanka, in spite of its appalling human rights record. They are allowing war crimes to go uninvestigated, unpunished and unaccounted for.

The selection committee that will decide the host nation for the 2018 Commonwealth Games should think carefully about choosing Sri Lanka's Hambantota, which is competing against the Queensland Gold Coast. Hosting rights to events such as CHOGM and the Commonwealth Games are powerful levers that can be used by world leaders to achieve improve human rights and justice for the people of Commonwealth countries.

I acknowledge that well-attested allegations of war crimes have also been made against the Tamil Tigers. They have been
accused by independent reports of holding civilians at gunpoint as human shields and shooting those people who tried to escape. But the Tamil Tigers’ leaders are dead. In contrast, the report of the Secretary-General’s Panel of Experts on Accountability in Sri Lanka states that most civilian casualties in the final phases of the war were caused by government shelling. The second no-fire zone was shelled from all directions, including land, air and sea. Hospitals were shelled multiple times and there are allegations that cluster bombs and white phosphorus were used by the Sri Lankan government. Those with command responsibility when these crimes were committed are still in office. This brings a duty to all of us. Do we, as elected representatives of the Australian people, stand idly by in the face of overwhelming evidence of war crimes? Or do we finally raise our voices, break our silence and demand accountability? That is the choice before us—let’s make the right one.

On Tuesday, 20 September I hosted a roundtable in federal parliament to look at furthering the international call for a war crimes tribunal. The Hon. John Dowd AO QC, President of the International Commission of Jurists Australia, and former Attorney General of NSW, was among the participants. The roundtable called on the Australian government and the federal opposition to support calls for Sri Lanka to be suspended from the Councils of the Commonwealth until the government of Sri Lanka agreed to an international, independent investigation into war crimes, the restoration of human rights and the rule of law. It also called on the Australian government and the opposition to oppose Sri Lanka hosting CHOGM in 2013 and to follow the lead of the Canadian Prime Minister, Stephen Harper, on this issue. This call was then supported by a number of prominent Australians including author Thomas Keneally and Julian Burnside. Professor Noam Chomsky also added his name to this call. I do ask fellow senators to consider adding their voices to the call for an independent investigation of war crimes committed by both sides during the 2009 Sri Lankan civil war. (Time expired)

Health and Ageing

Senator THISTLETHWAITE (New South Wales) (22:30): Australia, like the rest of the world, is facing an ageing population. Over the last few decades we have seen tremendous advances in medical research and greater public awareness of and information campaigns about healthy lifestyles, which have seen, on average, Australians live much longer lives. That is something that is positive, but it also puts added pressure on government services and our health system.

Between now and 2050 the number of older people, aged 65 to 84 years, is expected to more than double. The number of very old people, aged 85 and over, is expected to more than quadruple from 0.4 million people today to 1.8 million people in 2050. At the same time, the proportion of working age people in the total population is expected to fall by seven per cent, to 60 per cent of the population. As a consequence, there will be relatively fewer people of working age to support an increasing number of older Australians, which will translate into slower rates of economic growth. This throws up many challenges, the most fundamental of which, according to Dr Andrew Penman, the CEO of the Cancer Council of New South Wales, lies in the willingness to challenge and change our most basic health goals. In a recent blog, Dr Penman argued that the time had come to shift our focus from longevity to prolonging our productive potential well into older age. Dr Penman has said that chronic disease has replaced infectious disease as our
greatest disease burden. It erodes productive potential in later life by limiting function while, when facing chronic disease, many people heavily discount the merits of work for future gain or reward.

Health policy should centre on the preservation of a healthy life expectancy. Chronic disease increases with age, but it is possible to defer the onset and confine its impacts to a shorter period at the end of life—a so-called compression of morbidity. First and foremost, morbidity compression calls for a greater focus on healthy living. Even if we cannot eliminate all cancer, diabetes, mental illness or heart disease, we can delay the onset by many years. Policies that encourage unbridled hazardous consumption may be good for economic activity now but carry a terrible, long-term price.

Dr Penman has said that in confronting obesity and inactivity we must learn from the hard measures that were required to turn around the tobacco epidemic. While it is important to remain realistic, there are a number of ways of achieving the goals that we set ourselves for more healthy, enjoyable and productive later years. For instance, compared to women, men are 80 per cent more likely to die from mostly preventable cancers that are common to both genders. The reason for the discrepancy is quite simply the fact that women live less risky lifestyles and use health services more effectively. So is it too much to imagine that men might readily achieve what women already have?

Obesity has become a huge problem in Australia and indeed we are fast becoming the most obese nation on earth. Australia’s rates of overweight and obesity have more than doubled in the past two decades and currently affect two in three adults and one in four Australian children. Being overweight or obese increases the risk of developing chronic disease such as heart disease, type 2 diabetes, arthritis and some cancers. But there are some very simple things we can do to combat the expanding Aussie waistline and other chronic diseases. One valuable health initiative that I would certainly encourage the public to take part in is the Swap It, Don't Stop It campaign. Arriving at just the right time of the year, the campaign developed by the Australian National Preventive Health Agency provides a free, online, 12-week interactive planner to help Australians make changes toward a healthier lifestyle. The interactive planner features tools to help you organise your food and activity swaps, including alerts, checklists and a progress report. The activity planner uses GPS technology to identify local facilities such as swimming pools, parks and sporting fields, and includes a shopping list that can be sent directly to your iPhone. The online, 12-week interactive planner is a great tool to help people plan and track their nutrition choices and physical activity. This is part of the government’s commitment to take action on preventative health. It represents a record investment of $872.1 million over six years—the biggest investment in health promotion that the government has ever made. Funding will be invested in a range of preventive health activities including health promotion and healthy living programs in workplaces, communities, schools and early childhood settings. Programs focus on reducing rates of overweight and obesity, increasing levels of physical activity and intake of fruit and vegetables, reducing harmful levels of alcohol consumption, and smoking cessation.

In Australia, around 68 per cent of adult men and 55 per cent of adult women are overweight or obese. Obesity is the cause of almost one-quarter of type 2 diabetes and osteoarthritis and around one-fifth of cardiovascular disease. It is also a cause of
colorectal, breast, uterine and kidney cancer. That is why a large part of this funding, some $622 million, is for the Healthy Workers and Healthy Children initiatives. Under the Healthy Children initiative, $325.5 million over four years will be provided to state and territory governments to deliver programs for children aged zero to 16 years to increase levels of physical activity and improve the intake of fruit and vegetables in settings such as childcare centres, preschools and schools. The Healthy Workers initiative will provide $294.6 million to support workplace health programs that focus on decreasing rates of overweight and obesity, increasing levels of physical activity and intake of fruit and vegetables, smoking cessation and reducing harmful levels of alcohol consumption. There is also $71.8 million over four years supporting the Healthy Communities initiative, which aims to help reduce the prevalence of overweight and obesity by engaging local governments in proven and innovative physical activity and healthy eating programs.

Whilst it is illusory to think that expenditure on health will go anywhere but up, we should have firm expectations about the social returns we should gain from health expenditure. Compressing morbidity to a short period within a long and vigorous life would generate handsome returns indeed. An interesting study currently being undertaken on the issue is the 45 and Up study, which aims to inform policy on healthy ageing into the future. Its mission is to improve health through facilitating high-quality research and increasing the impact of this research on health policy and services. More than 265,000 men and women from across New South Wales aged 45 and over—over 10 per cent of this age group—have agreed to participate in the study and have their health followed over the coming decades. Study participants provide demographic, lifestyle and health information through a brief baseline questionnaire and surveys at least once every five years.

The study is now fully established as a collaborative resource for internationally leading research and will help us understand how we can remain healthy and independent as we age. For instance, the study notes that in Australia there are some unique characteristics of our ageing population. Australia has a relatively heterogeneous population with a large migrant community, an Indigenous population with an average life expectancy 17 years less than for non-Indigenous Australians, some remote and sparsely populated regions and a mixed health-care system with responsibility shared between the national and state governments. There is therefore a need for research that addresses issues specific to the Australian population and makes a feature of giving opportunity to provide insights of international relevance. The 45 and Up study was conceived as a long-term collaborative resource to investigate healthy ageing, in response to the gaps in existing knowledge and the needs of researchers. It is with the aid of vital research like the 45 and Up study and initiatives such as the Swap It, Don't Stop It campaign that we will ensure that our approach to the challenges of an ageing population will be with a full understanding of all of the implications and complexities, which should enable us to emerge on the other side with a healthier, more productive and happier Australia. (Time expired)

Senate adjourned at 22:40

DOCUMENTS

Tabling

The following government documents were tabled:

Airservices Australia—Report for 2010-11.
Army and Air Force Canteen Service (Frontline Defence Services)—Report for 2010-11.
ASC Pty Ltd—Report for 2010-11.
Australian Competition and Consumer Commission (ACCC)—Report for 2010-11, including report of the Australian Energy Regulator (AER).
Australian Information Commissioner—Report for the period 1 November 2010 to 30 June 2011, including financial statements for the Office of the Privacy Commissioner for the period 1 July to 31 October 2010.
Australian Institute of Criminology and Criminology Research Council—Reports for 2010-11.
Australian Public Service Commissioner—Report of the Australian Public Service Commissioner for 2010-11, including report of the Merit Protection Commissioner.
Australian Reward Investment Alliance (ARIA)—Report for 2010-11 [Final report], including financial statements for Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan.
Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2010-11.
Australian War Memorial—Report for 2010-11.
Civil Aviation Safety Authority (CASA)—Report for 2010-11.
Commonwealth Director of Public Prosecutions—Report for 2010-11.
Corporations and Markets Advisory Committee (CAMAC)—Report for 2010-11.
Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Australian Customs and Border Protection Service—Report for 2010-11.
Defence Force Retirement and Death Benefits Authority (DFRDB)—Report for 2010-11 [Final report].
Department of Defence—Reports for 2010-11—
Department of Infrastructure and Transport—Report for 2010-11.
Department of Sustainability, Environment, Water, Population and Communities—Report for 2010-11, including reports on the operation of Acts administered by the department, report of the Commonwealth Environmental Water Holder, and reports of the Natural Heritage Trust of Australia for 2009-10 and 2010-11.
Department of the Prime Minister and Cabinet—Report for 2010-11.
Department of the Treasury—Report on the operation of the Guarantee Scheme for Large Deposits and Wholesale Funding, dated 13 October 2011.

Food Standards Australia New Zealand—Report for 2010-11.

International Air Services Commission—Report for 2010-11.

Military Superannuation and Benefits Board of Trustees—Report for 2010-11 [Final report], including financial statements for the Military Superannuation and Benefits Fund.

National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2010-11.

National Film and Sound Archive—Report for 2010-11.

National Transport Commission (NTC Australia)—Report for 2010-11.


Private Health Insurance Ombudsman—Report for 2010-11.

Remuneration Tribunal—Report for 2010-11.


Tourism Australia—Report for 2010-11.


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—Australian Prudential Regulation Authority (Confidentiality) Determination No. 19 of 2011—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2011L02146].

Civil Aviation Act—Civil Aviation Regulations—Instrument No. CASA 438/11—Direction—number of cabin attendants in Fokker F28 MK 0100 and Fokker F28 MK 0070 aircraft [F2011L02156].

Civil Aviation Regulations, Civil Aviation Safety Regulations and Civil Aviation Order
20.7.1B—Instrument No. CASA 444/11—
Instructions – RNAV (RNP-AR) approaches and departures [F2011L02157].

Civil Aviation Safety Regulations—
Instrument No. CASA EX116/11—Exemption – solo flight training using ultralight aeroplanes registered with the RAA at Coffs Harbour Aerodrome [F2011L02149].

Revocation of Airworthiness Directive—
Instrument No. CASA ADCX 023/11 [F2011L02148].

Commissioner of Taxation—Public Rulings—

Corporations Act—
ASIC Class Order [CO 11/842] [F2011L02152].

ASIC Market Integrity Rules (ASX Market) Amendment 2011 (No. 3) [F2011L02145].

ASIC Market Integrity Rules (Chi-X Australia Market) Amendment 2011 (No. 1) [F2011L02153].

ASIC Market Integrity Rules (Chi-X Australia Market) Amendment 2011 (No. 2) [F2011L02150].


Customs Act—Tariff Concession Order 1054832 [F2011L02136].

Environment Protection and Biodiversity Conservation Act—Amendments of lists of exempt native specimens—
EPBC303DC/SFS/2011/36 [F2011L02159].

Fisheries Management Act—

Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 1 2011 [F2011L02147].
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Office of the Australian Building and Construction Commissioner**
(Question No. 699)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 20 June 2011:

1. Are there plans to close the Tasmanian office of the Office of the Australian Building and Construction Commissioner (ABCC), if so:
   - (a) when will the office be closed;
   - (b) why was it considered appropriate to close the office; and
   - (c) how many people will lose their job and will they be offered redundancies and at what cost.
2. Did the wife of the previous Commissioner of the ABCC ever receive any hospitality or payment for trips from the ABCC.
3. How long did the previous Commissioner hold office.
4. How long was it between the appointment of the current Commissioner and his accessing ABCC funds to provide hospitality or payment for trips to his partner.

**Senator Chris Evans:** The answer to the honourable senator's question is as follows:

1. There are no plans to close the ABCC Tasmania office.
2. Yes, twice. Both entries are recorded on the ABCC's Gifts and Hospitality Register.
3. 5 years.
4. Approximately 4.5 months.

**Defence: Naval Vessels**
(Question No. 759)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

For the period 1 January to 30 June 2011:

1. Which naval vessels were fully operational with a full crew complement.
2. Which naval vessels were not fully operationally ready for immediate tasking.
3. For each naval vessel that was non-operationally ready, what was the reason for its non-operational status.
4. What were the operational strengths on all naval vessels of:
   - (a) engineering officers and sailors; and
   - (b) non-engineering officers and sailors.

**Senator Chris Evans:** The Minister for Defence has provided the following answer to the honourable senator's question:

Navy prepares its fleet units to specified levels of readiness in accordance with guidance from Government through the CDF. Not all units are maintained at the same level of readiness.

Those fleet units held at higher readiness for short notice operational roles are appropriately manned, equipped and trained for the tasks that they might have to perform. Fleet units at lower readiness will
also be crewed in a manner that is best suited to their assigned tasking which includes maintaining core skills currency and training throughput. This might mean the reduction in certain trained/skilled positions filled in order to make way for additional trainees. Fleet units invariably go to sea with all available accommodation filled.

To meet and sustain operational, exercise, preparedness and training requirements, fleet units are operated in a cycle of scheduled maintenance, training and operational availability. Planned major maintenance activity periods are a routine element of the operational cycle.

Henceforth, and in order to provide a consistent means of reporting to correctly encapsulate the manner in which ships and submarines are managed as a fleet to meet operational preparedness, Navy intends to apply the following basic definitions upon which future unclassified responses to questions relating to the general issue of operational status of naval vessels.

**Within Operating Cycle**

A ship, submarine or unit when conducting assigned tasks and undergoing scheduled maintenance, including external maintenance and docking refits, in accordance with the vessel's designed servicing and support plan: this is referred to in Navy as the designed Usage Upkeep Cycle (UUC). This includes alongside periods dedicated to planned activities such as crew reconstitution, and maintenance and repair work which was pre-planned for the work package to be undertaken over the period designated as routine maintenance consistent with the vessels UUC.

**Outside Operating Cycle**

A ship, submarine or unit undergoing maintenance that is not in accordance with the vessel's designed servicing and support plan, the Usage Upkeep Cycle (UUC). This includes those periods in time when unscheduled maintenance requirements arise either through growth in a refit work package, or through unscheduled maintenance, which requires either an extension to the existing maintenance period, or results in a new maintenance period, for a period longer than that vessel's assigned operational readiness notice. A vessel will also be classified as non-operational where any other issue arises for which the vessel is subsequently unavailable for operations within its ascribed readiness notice. Examples include circumstances where an operational pause has been invoked for safety reasons or where insufficient skilled personnel are available to crew a vessel within its UUC.

**Private Briefing Opportunity**

The definitions provided are considered appropriate for an unclassified forum. Providing a more detailed breakdown of this data beyond these levels of fidelity in the public domain is considered inappropriate as it would allow insight into the Royal Australian Navy’s overall Fleet preparedness posture. Navy is prepared to provide the Senator with a private briefing on the more specific aspects of overall Fleet preparedness between 1 January and 30 June 2011.

**Major Surface Combatants and Amphibious Ships:**

(1) to (3) During the period 1 January to 30 June 2011 the operational availability status of Surface Force naval vessels is summarised in the attached table.

<table>
<thead>
<tr>
<th>HMA Ship</th>
<th>Within Operating Cycle</th>
<th>Outside Operating Cycle</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frigates</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Darwin</td>
<td>1 Jan – 30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Melbourne</td>
<td>1 Jan – 30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newcastle</td>
<td>1 Jan – 17 Apr</td>
<td>18 Apr – 20 Apr (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>21 Apr – 8 May</td>
<td>9 May – 13 May (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>14 May – 30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sydney</td>
<td>1 Jan – 30 Jun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Questions on Notice

**HMA Ship**

- **Anzac**: 1 Jan - 30 Jun (1)
  - Comment: 1. Extended Readiness. Insufficient Qualified Marine Technician (MT) sailors

- **Arunta**: 1 Jan - 25 Feb
  - Comment: 1. Extended Readiness. Insufficient Qualified Marine Technician (MT) sailors

- **Ballarat**: 1 Jan – 30 Jun
- **Parramatta**: 1 Jan – 30 Jun
- **Perth**: 1 Jan – 30 Jun
- **Stuart**: 1 Jan – 30 Jun
- **Toowoomba**: 1 Jan – 30 Jun
- **Warramunga**: 1 Jan – 30 Jun

- **Afloat Support Ships**
  - **Success**: 1 Jan – 30 Jun (1)
    - Comment: (1) IMO Conversion in Singapore & return to Australia passage for follow on maintenance

- **Sirius**: 1 Jan – 12 Jun
  - Comment: (1) Unscheduled Defect Rectification

- **Amphibious Ships**

- **Kanimbla**: 1 Jan – 30 Jun
  - Comment: 1. Operational Pause

- **Manoora**: 1 Jan – 27 May (1)
  - Comment: 1. Operational Pause

- **Tobruk**: 1 Jan – 16 Jan
  - Comment: 1. Unscheduled Defect Rectification

- **Balikpapan**: 1 Jan – 30 Jun
- **Betano**: 1 Jan – 30 Jun
- **Brunei**: 1 Jan – 30 Jun
- **Labuan**: 1 Jan – 30 Jun
- **Tarakan**: 1 Jan – 5 Jun
  - Comment: 1. Unscheduled Defect Rectification

- **Wewak**: 1 Jan – 30 Jun

---

Excluding HMA Ships **Anzac** and **Arunta**, which were de-crewed, the operational manning strengths in the Navy’s crewed Surface Force vessels during the period were as follows:

- Ninety-five per cent crewed with engineering officers and ninety-six per cent crewed with engineer sailors; and
- Ninety-seven per cent crewed with non-engineering officers and ninety-six per cent crewed with non-engineer sailors.

### Mine Hunting and Clearance Diving Forces:

(1) to (3) During the period 01 January to 30 June 2011 the operational availability status of Mine Hunting and Clearance Diving Force are summarised in the attached table:

<table>
<thead>
<tr>
<th>HMA Ship</th>
<th>Within Operating Cycle</th>
<th>Outside Operating Cycle</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mine Hunter Coastal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Diamantina</strong></td>
<td>01 Jan–30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Gascoyne</strong></td>
<td>01 Jan–30 Jun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**QUESTIONS ON NOTICE**
<table>
<thead>
<tr>
<th>HMA Ship</th>
<th>Within Operating Cycle</th>
<th>Outside Operating Cycle</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yarra</td>
<td>01 Jan–30 Jun</td>
<td>01 Jan–30 Jun (1)</td>
<td></td>
</tr>
<tr>
<td>Hawkesbury</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>01 Jan–30 Jun (1)</td>
<td>1. Government Approved placing this vessel at five years Extended Readiness Availability (de-crewed.) from December 2009.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norman</td>
<td>01 Jan–30 Jun (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mine Sweeping Auxiliary</td>
<td></td>
<td>21 Feb – 30 Jun (2)</td>
<td>1. This vessel was placed on short-term reactive notice for sea from October 2010 for Nuclear Powered Warship (NPW) support duties (de-crewed.)</td>
</tr>
<tr>
<td>Wallaroo</td>
<td>01 Jan–20 Feb (1)</td>
<td></td>
<td>2. The in 'operating cycle dates' relate to activation for NPW duties associated with allied vessels visits for Exercise Talisman Saber.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bandicoot</td>
<td>21 Feb – 30 Jun (2)</td>
<td>01 Jan–20 Feb (1)</td>
<td>1. This vessel was placed on short-term reactive notice for sea from October 2010 for Nuclear Powered Warship (NPW) support duties (de-crewed.)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. The in 'operating cycle dates' relate to activation for NPW duties associated with allied vessels visits for Exercise Talisman Saber.</td>
</tr>
</tbody>
</table>

Australian Clearance Diving Teams
One  01 Jan–30 Jun
Four  01 Jan–30 Jun

(4) The operational manning strengths in the Navy’s Mine Hunting Force vessels (with the exception of Hawkesbury and Norman in Extended Readiness Availability) during the period were:

(a) Manning for all MCM platforms was commensurate with tasking requirements. Mine Hunters were 98.6 per cent crewed with engineering officers (roles are performed by Chief Petty Officer Marine Technicians borne as Senior Technical Officers) and 77 per cent crewed with engineering sailors. Mine Sweeper Auxiliaries were commensurate with tasking requirements as of Feb 11 at 30 days NFS, 100 per cent crewed with engineering officers roles (performed by Petty Officer Marine Technicians borne as Senior Technical Officers) and 100 per cent crewed with engineering sailors; and

(b) Due to an extant deficiency in qualified Mine Warfare and Clearance Diving Officers, the Mine Hunters were manned with 83% of the required skill set. Coping strategies employed were the use of Mine Warfare Officers and supplementation from Australian Naval Reserves (ANR).

Hydrographic Forces:

(1) to (3) During the period 01 January to 30 June 2011 the operational availability status of Hydrographic Forces was as listed in the attached table:
The operational manning strengths in the Navy’s Hydrographic vessels during the period were

(a) Hydrographic units were 100 per cent crewed with Engineer Officers and 99 per cent crewed with Engineer Sailors

(b) Hydrographic units were 100 per cent crewed with non-Engineer Officers and 100 per cent crewed with non-Engineer Sailors.

**Patrol Boat Force:**

(1) to (3) During the period 1 January to 30 June 2011 the operational availability status of Patrol Boat Force vessels is summarised in the attached table.

<table>
<thead>
<tr>
<th>HMA Ship</th>
<th>Within Operating Cycle</th>
<th>Outside Operating Cycle</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Leeuwin</strong></td>
<td>1 Jan–17 Apr</td>
<td>18 Apr–20 Apr (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td>Melville</td>
<td>19 Feb – 07 Mar</td>
<td>01 Jan–18 Feb (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>15 Mar – 31 May</td>
<td>08 Mar–14 Mar (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>04 Jun – 30 Jun</td>
<td>01 Jun–03 Jun (1)</td>
<td></td>
</tr>
<tr>
<td>Paluma</td>
<td>01 Jan–09 Mar</td>
<td>10 Mar–14 Mar (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>15 Mar–06 Apr</td>
<td>07 Apr–20 Apr (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>21 Apr–30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benalla</td>
<td>01 Jan–13 Jan</td>
<td>14 Jan–14 Feb (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>15 Feb–27 Mar</td>
<td>28 Mar–06 Apr (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 Apr–30 May</td>
<td>31 May–09 Jun (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10 Jun–30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shepparton</td>
<td>01 Jan–09 Jan</td>
<td>10 Jan–14 Jan (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>15 Jan–14 Feb</td>
<td>15 Feb–27 Feb (1)</td>
<td>Rectification</td>
</tr>
<tr>
<td></td>
<td>28 Feb–07 Mar</td>
<td>08 Mar–14 Mar (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15 Mar–27 Mar</td>
<td>28 Mar–06 Apr (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 Apr–30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mermaid</td>
<td>01 Jan–14 Feb</td>
<td>15 Feb–16 Feb (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>17 Feb–27 Mar</td>
<td>28 Mar–04 Apr (1)</td>
<td>Rectification</td>
</tr>
<tr>
<td></td>
<td>05 Apr–31 May</td>
<td>01 Jun–20 Jun (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>21 Jun–30 Jun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(4) The operational manning strengths in the Navy's Hydrographic vessels during the period were

(a) Hydrographic units were 100 per cent crewed with Engineer Officers and 99 per cent crewed with Engineer Sailors

(b) Hydrographic units were 100 per cent crewed with non-Engineer Officers and 100 per cent crewed with non-Engineer Sailors.

**Patrol Boat Force:**

(1) to (3) During the period 1 January to 30 June 2011 the operational availability status of Patrol Boat Force vessels is summarised in the attached table.

<table>
<thead>
<tr>
<th>HMA Ship</th>
<th>Within Operating Cycle</th>
<th>Outside Operating Cycle</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Armidale</strong></td>
<td>01 Jan–17 Mar</td>
<td>18 Mar–20 Mar (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>21 Mar–05 Jun</td>
<td>06 Jun–30 Jun (1)</td>
<td></td>
</tr>
<tr>
<td><strong>Larrakia</strong></td>
<td>01 Jan–10 Jan</td>
<td>11 Jan–13 Jan (1)</td>
<td>1. Unscheduled</td>
</tr>
<tr>
<td></td>
<td>14 Jan–22 Apr</td>
<td>23 Apr–28 Apr (1)</td>
<td>Rectification</td>
</tr>
<tr>
<td></td>
<td>29 Apr–30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Bathurst</strong></td>
<td>01 Jan – 30 Jan</td>
<td>31 Jan–06 Feb (1)</td>
<td>1. Unscheduled Defect Rectification</td>
</tr>
<tr>
<td></td>
<td>07 Feb–30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Albany</strong></td>
<td>01 Jan – 30 Jun</td>
<td>28 Feb–22 May (1)</td>
<td>1. Planned Operational Release Docking to rectify latent defects from build and achieve delivery baseline</td>
</tr>
<tr>
<td><strong>Pirie</strong></td>
<td>01 Jan – 27 Feb</td>
<td>28 Feb–22 May (1)</td>
<td>Docking to rectify latent defects from build and achieve delivery baseline</td>
</tr>
<tr>
<td></td>
<td>23 May – 30 Jun</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maitland</strong></td>
<td>01 Jan–17 Apr</td>
<td>18 Apr - 27 Jun (1)</td>
<td>1. Planned Operational Release Docking to rectify latent defects from build and achieve delivery baseline</td>
</tr>
<tr>
<td></td>
<td>28 Jun - 30 Jun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The operational manning strengths in the Navy's Patrol Boat Force during the period were as follows:

(a) One hundred per cent crewed with engineer officers and 100 per cent crewed with engineer sailors; and

(b) One hundred per cent crewed with non-engineer officers and 100 per cent crewed with non-engineer sailors.

Submarines:

Details on the operational availability status of Submarine Force vessels has been provided separately (see Navy's response to Senate Questions on Notice No's. 752 to 758 – Submarine Availability and Crewing)

Fair Work Australia and Office of the Australian Building and Construction Commissioner: Travel

(Question No. 847)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 25 July 2011:

(1) With reference to all staff at Fair Work Australia:

(a) Have travel entitlements been accessed for a spouse of a member of Fair Work Australia; if so, can a full breakdown be provided, including the name of the officer at Fair Work Australia, the travel details and the cost as well as the business need for the travel.

(b) What is the total travel cost for the 2010-11 financial year at Fair Work Australia, and can a breakdown of travel be provided including dates, locations and reason for travel including the name of the person travelling.

(c) Can details be provided for the business reason each time an associate has travelled with a Commissioner, Vice or Deputy President or the President.
(2) With reference to all staff at the Office of the Australian Building and Construction Commissioner (ABCC):

(a) Have travel entitlements been accessed for a spouse of any officers at the ABCC or the Commissioner; if so, can a full breakdown be provided, including the name of the officer at the ABCC, the travel details and the cost as well as the business need for the travel.

(b) What is the total travel cost for the 2010-11 financial year at the ABCC, and can a breakdown of travel be provided including dates, locations and reason for travel including the name of the person travelling.

(c) Can details be provided for the business reason each time an associate has travelled with an officer.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

(1) (a) Spouse Travel

<table>
<thead>
<tr>
<th>Member/office</th>
<th>Date</th>
<th>Location</th>
<th>Cost</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>President, Justice</td>
<td>9-16/10/10</td>
<td>Melbourne-Washington—</td>
<td>$9,557.85</td>
<td>International agency heads meeting</td>
</tr>
<tr>
<td>Giudice</td>
<td>9-16/10/10</td>
<td>Melbourne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior Deputy</td>
<td>19-24/6/11</td>
<td>Melbourne-Brisbane-Melbourne</td>
<td>$1,908.85</td>
<td>Arbitration roster</td>
</tr>
<tr>
<td>Kaufman</td>
<td>19-24/6/11</td>
<td>Melbourne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deputy President</td>
<td>18-</td>
<td>Adelaide-Melbourne-</td>
<td>$859.75</td>
<td>Professional development training</td>
</tr>
<tr>
<td>Hampton</td>
<td>18-</td>
<td>Adelaide</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deputy President</td>
<td>27/4-</td>
<td>Adelaide-Sydney-</td>
<td>$1,178.05</td>
<td>Full bench hearings</td>
</tr>
<tr>
<td>Hampton</td>
<td>1/5/11</td>
<td>Adelaide</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) Travel Cost

FWA spent $2,465,611.26 on travel in 2010-11 comprising:

<table>
<thead>
<tr>
<th></th>
<th>Members</th>
<th>Staff</th>
<th>Other *</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fares</td>
<td>666,114.61</td>
<td>607,388.53</td>
<td>46,425.07</td>
<td>1,319,928.21</td>
</tr>
<tr>
<td>Travel allowance</td>
<td>394,877.85</td>
<td>427,374.24</td>
<td>2,716.42</td>
<td>824,968.51</td>
</tr>
<tr>
<td>Taxis, hire cars, parking</td>
<td>178,427.23</td>
<td>142,287.31</td>
<td>320,714.54</td>
<td></td>
</tr>
</tbody>
</table>

Total Travel 1,239,419.69, 1,177,050.08, 49,141.49 $2,465,611.96

* includes non FWA employees, corporate travel agent charges and adjustments

The reason for travel is recorded on the travel approval form but is not entered into the finance system. This breakdown is not readily available.

(c) Associate travel

Associates travel with their member when required to assist with the undertaking of tribunal activities.

(2) Yes.

On 27 January 2011 ABC Commissioner Leigh Johns, representing the ABCC at a function hosted by Minter Ellison, was accompanied by his partner, at a cost of $1,261.70. This payment was approved by the ABCC Chief Financial Officer, and was in accordance with the Remuneration Tribunal Determination 2004/03: Official Travel by Office Holders.

Family members of an ABCC officer may be entitled to reimbursement of travel expenses incurred as a result of relocation at the initiative of the Commonwealth.

During the financial year 2010-11, there were two such cases of family travel reimbursement resulting from relocation, at a total cost of $1058.59.
(b) For the financial year 2010-2011, the agency's total travel costs were $1,217,834.18. A breakdown of travel costs are provided in the table below.

<table>
<thead>
<tr>
<th>Account/Code</th>
<th>Total Costs (GST Exc)$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airfares (21000)</td>
<td>501,766.26</td>
</tr>
<tr>
<td>Travel Allowance (21005)</td>
<td>21,946.00</td>
</tr>
<tr>
<td>Accommodation (21010)</td>
<td>223,094.34</td>
</tr>
<tr>
<td>Meals (21015)</td>
<td>74,097.60</td>
</tr>
<tr>
<td>Cash Withdrawal (21020)</td>
<td>30,902.45</td>
</tr>
<tr>
<td>Taxis (21025)</td>
<td>102,130.85</td>
</tr>
<tr>
<td>Hire Cars (21030)</td>
<td>18,108.31</td>
</tr>
<tr>
<td>Parking (21035)</td>
<td>15,652.73</td>
</tr>
<tr>
<td>Airline Lounge Membership (21040)</td>
<td>10,018.06</td>
</tr>
<tr>
<td>Pool Vehicle Lease (21045)</td>
<td>143,596.67</td>
</tr>
<tr>
<td>Pool Vehicle Fuel &amp; Other (21050)</td>
<td>34,495.11</td>
</tr>
<tr>
<td>Other Travel Costs (21099)</td>
<td>42,025.80</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,217,834.18</strong></td>
</tr>
</tbody>
</table>

Detail of travel by ABCC Public Officer Holder and SES officers is provided in Attachment A. The extract of data is from the travel management and financial management systems. For reasons of protected information under the Building and Construction Industry Improvement Act 2005, confidentiality and clarity, some reasons for travel have been modified.

Details of travel by non-SES officers of the ABCC are not provided for the following reasons:

- It may inadvertently disclose protected or confidential operational matters; and
- It would require substantial manual reconciliation.

**Attachment A**

**ABCC Public Office Holder Travel**

1 July 2010 – 30 June 2011

<table>
<thead>
<tr>
<th>Leigh Johns</th>
<th>Departure date</th>
<th>Return date</th>
<th>Departing from</th>
<th>Departing to</th>
<th>Reason for travel</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-Oct-10</td>
<td>17-Oct-10</td>
<td>Sydney</td>
<td>Melbourne</td>
<td>First week as ABC Commissioner</td>
<td></td>
</tr>
<tr>
<td>19-Oct-10</td>
<td>21-Oct-10</td>
<td>Sydney</td>
<td>Melbourne</td>
<td>To attend at Senate Estimates. Travel Syd-Canb 19.10, Estimates on Wed 20.10. May be able to fly Canb-Melb on 20.10 but could be held over by the Committee</td>
<td></td>
</tr>
<tr>
<td>22-Oct-10</td>
<td>27-Oct-10</td>
<td>Melbourne</td>
<td>Sydney</td>
<td>Return trip</td>
<td></td>
</tr>
<tr>
<td>31-Oct-10</td>
<td>3-Nov-10</td>
<td>Melbourne</td>
<td>Sydney</td>
<td>Return trip</td>
<td></td>
</tr>
<tr>
<td>5-Nov-10</td>
<td>10-Nov-10</td>
<td>Melbourne</td>
<td>Sydney/Canberra/Melb</td>
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**QUESTIONS ON NOTICE**
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### ABCC SES Travel

**1 July 2010 – 30 June 2011**

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### QUESTIONS ON NOTICE
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QUESTIONS ON NOTICE
### Linda Addison

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### Peter Darlaston

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</table>
the table below and refer to breaches of the Australian Public Service Code of Conduct.

Senator Abetz asked the Minister representing the Attorney-General and the Minister for Home Affairs and Justice, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010-11; and (b) 2011-to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

Senator Ludwig: The Attorney-General has provided the following answer to the honourable senator's question:

(1) (a) and (b), (2) (a) and (b) and (5)

Responses from the Attorney-General's Department and portfolio agencies are detailed in the table below and refer to breaches of the Australian Public Service Code of Conduct.

<table>
<thead>
<tr>
<th>Departure date</th>
<th>Return date</th>
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### Attorney-General, Home Affairs and Justice: Code of Conduct Investigations

(Question No. 1059, 1068 and 1069)

<table>
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<tr>
<th>Department/Agency</th>
<th>(1) (a) Code of Conduct investigations in 2010-11</th>
<th>(1) (b) Code of Conduct investigations in 2011 to date</th>
<th>(2) (a) Breach of Code</th>
<th>(2) (b) No Breach of Code</th>
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QUESTIONS ON NOTICE
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<th>(1) (b) Code of Conduct investigations in 2011 to date</th>
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</table>

* Australian Federal Police, Australian Government Solicitor and Australian Security Intelligence Organisation employees are not employed under the *Public Service Act 1999* and therefore are not subject to the APS Code of Conduct.

Responses to questions 3 and 4 from the Attorney-General's Department and portfolio agencies are detailed below.

(3) **Attorney-General's Department**

Breach 1 is thought to have breached APS Code of Conduct element 1 and 2.
Breach 2 is thought to have breached APS Code of Conduct element 2 and 5.
Breach 3 is thought to have breached APS Code of Conduct element 1, 2, and 5.

**Administrative Appeals Tribunal**

No breaches to report.

**Australian Commission for Law Enforcement Integrity**

No breaches to report.
Australian Crime Commission
Breach 1 is thought to have breached APS Code of Conduct elements 2, 5 and 8.
Breach 2 is thought to have breached APS Code of Conduct elements 5, 8 and 11.
Breach 3 is thought to have breached APS Code of Conduct elements 5 and 8.

Australian Customs and Border Protection Service
Breach 1 is thought to have breached APS Code of Conduct elements 3, 8 and 11.
Breach 2 is thought to have breached APS Code of Conduct elements 3, 8 and 11.
Breach 3 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 4 is thought to have breached APS Code of Conduct elements 1, 4 and 5.
Breach 5 is thought to have breached APS Code of Conduct elements 1, 4, 5, 8 and 11.
Breach 6 is thought to have breached APS Code of Conduct elements 1 and 8.
Breach 7 is thought to have breached APS Code of Conduct elements 1 and 8.
Breach 8 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 9 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 10 is thought to have breached APS Code of Conduct elements 1, 4 and 5.
Breach 11 is thought to have breached APS Code of Conduct elements 1, 4 and 5.
Breach 12 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 13 is thought to have breached APS Code of Conduct elements 2 and 5.
Breach 14 is thought to have breached APS Code of Conduct elements 2 and 5.
Breach 15 is thought to have breached APS Code of Conduct elements 2 and 5.
Breach 16 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 17 is thought to have breached APS Code of Conduct elements 1, 3, 5 and 11.
Breach 18 is thought to have breached APS Code of Conduct elements 1 and 4.
Breach 19 is thought to have breached APS Code of Conduct elements 2, 7, 10 and 11.
Breach 20 is thought to have breached APS Code of Conduct elements 1, 2 and 8.
Breach 21 is thought to have breached APS Code of Conduct elements 1, 9 and 11.
Breach 22 is thought to have breached APS Code of Conduct elements 1, 9 and 11.
Breach 23 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 24 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 25 is thought to have breached APS Code of Conduct elements 1, 8 and 11.
Breach 26 is thought to have breached APS Code of Conduct element 1.
Breach 27 is thought to have breached APS Code of Conduct elements 10 and 11.
Breach 28 is thought to have breached APS Code of Conduct elements 1, 4, 8, 9 and 11.
Breach 29 is thought to have breached APS Code of Conduct elements 1, 2, 10 and 11.
Breach 30 is thought to have breached APS Code of Conduct elements 10 and 11.
Breach 31 is thought to have breached APS Code of Conduct elements 4 and 5.
Breach 32 is thought to have breached APS Code of Conduct elements 1, 4 and 10.
Breach 33 is thought to have breached APS Code of Conduct elements 3 and 11.
Breach 34 is thought to have breached APS Code of Conduct elements 4, 5 and 9.
Breach 35 is thought to have breached APS Code of Conduct elements 1, 4 and 11.
Breach 36 is thought to have breached APS Code of Conduct elements 4, 10 and 11.
Breach 37 is thought to have breached APS Code of Conduct element 1.
Breach 38 is thought to have breached APS Code of Conduct elements 2, 8 and 11.
Breach 39 is thought to have breached APS Code of Conduct elements 1, 4, 8 and 11.
Breach 40 is thought to have breached APS Code of Conduct elements 3, 8 and 11.
Breach 41 is thought to have breached APS Code of Conduct elements 2, 5, 7, 8 and 9.
Breach 42 is thought to have breached APS Code of Conduct elements 1, 5, 7 and 9.
Breach 43 is thought to have breached APS Code of Conduct elements 1, 4 and 11.

**Australian Federal Police & the Australian Institute of Police Management**
Not applicable. Employees are engaged under the *Australian Federal Police Act 1979* and are therefore not subject to the APS Code of Conduct. The AFP Code of Conduct applies to all AFP employees.

**Australian Government Solicitor**
Not applicable. Employees are engaged under the *Judiciary Act 1903* and are therefore not subject to the APS Code of Conduct. The AGS Ethics and Conduct Framework applies to all AGS employees.

**Australian Human Rights Commission**
No breaches to report.

**Australian Institute of Criminology & the Criminology Research Council**
No breaches to report.

**Australian Law Reform Commission**
No breaches to report.

**Australian Security Intelligence Organisation**
Not applicable. Employees are engaged under the *Australian Security Intelligence Act 1979* and are therefore not subject to the APS Code of Conduct. The ASIO Code of Conduct applies to all ASIO employees.

**Australian Transaction Reports and Analysis Centre**
Breach 1 is thought to have breached APS Code of Conduct elements 2, 3, 5 and 11.
Breach 2 is thought to have breached APS Code of Conduct elements 3, 5, 8 and 11.
Breach 3 is thought to have breached APS Code of Conduct elements 3 and 11.

**Commonwealth Director of Public Prosecutions**
No breaches to report.

**CrimTrac**
In all cases the following APS Code of Conduct elements were thought to have been breached: 1, 2 and 10.

**Family Court of Australia**
The breach is thought to have breached APS Code of Conduct element 3.

**Federal Court of Australia, Australian Competition Tribunal, Copyright Tribunal of Australia & Defence Force Discipline Appeal Tribunal**
The breach is thought to have breached APS Code of Conduct element 5.
Federal Magistrates Court of Australia
No breaches to report.

High Court of Australia
No breaches to report.

Insolvency and Trustee Service Australia
Breach 1 is thought to have breached APS Code of Conduct elements 1, 3, and 4.
Breach 2 is thought to have breached APS Code of Conduct elements 1, 8 and 11.
Breach 3 is thought to have breached APS Code of Conduct element 3.
Breach 4 is thought to have breached APS Code of Conduct elements 1, 2, 3, 4, 8 and 11.

National Native Title Tribunal
No breaches to report.

Office of Parliamentary Counsel
No breaches to report.

(4) Attorney-General’s Department
For Breach 1 the sanction imposed was termination of employment.
For Breach 2 the sanction imposed was a reduction in classification.

Administrative Appeals Tribunal
Not applicable.

Australian Commission for Law Enforcement Integrity
Not applicable.

Australian Crime Commission
For Breach 1 the sanction imposed was a reduction in salary.
For Breach 2 the sanction involved was a fine and reprimand.

Australian Customs and Border Protection Service
For breach 1 the sanctions imposed were a reprimand and a fine.
For breach 2 no sanction was imposed as the employee was found not to have breached the Code.
For breach 3 the sanctions imposed were a reprimand and reassignment of duties.
For breach 4 the sanctions imposed were a reprimand and a fine.
For breach 5 the sanction imposed was a reduction in classification.
For breach 6 the sanction imposed was a reprimand.
For breach 7 the sanction imposed was a reprimand.
For breach 8 no sanction was imposed as the employee was found not to have breached the Code.
For breach 9 no sanction was imposed as the employee was found not to have breached the Code.
For breach 10 the sanction imposed was a fine.
For breach 11 no sanction was imposed as the employee resigned prior to a decision being made.
For breach 12 no sanction was imposed as the employee resigned prior to a decision being made.
For breach 13 no sanction was imposed as the employee was found not to have breached the Code.
For breach 14 no sanction was imposed as the employee was found not to have breached the Code.
For breach 15 no sanction was imposed as the employee was found not to have breached the Code.
For breach 16 the sanctions imposed were a reprimand and a fine.
For breach 17 the sanction imposed was termination of employment.
For breach 18 no sanction was imposed as the employee was found not to have breached the Code.
For breach 19 no sanction was imposed as the employee resigned prior to a decision being made.
For breach 20 the sanction imposed was a fine.
For breach 21 the sanction imposed was a reprimand.
For breach 22 the sanction imposed was reassignment of duties.
For breach 23 no sanction was imposed as the employee was found not to have breached the Code.
For breach 24 no sanction was imposed as the employee was found not to have breached the Code.
For breach 25 the sanction imposed was a fine.
For breach 26 the sanction imposed was a fine.
For breach 27 the sanction imposed was a reprimand.
For breach 28 the sanction imposed was a reprimand.
For breach 29 the sanction imposed was termination of employment.
For breach 30 the sanctions imposed were a reprimand and a fine.
For breach 31 the sanctions imposed were a reprimand and reassignment of duties.
For breach 32 no sanction was imposed as the employee resigned prior to a decision being made.
For breach 33 no sanction was imposed as the employee resigned prior to a decision being made.
For breach 34 no sanction was imposed as the employee resigned prior to a decision being made.
For breach 35 the sanctions imposed were a reprimand and reassignment of duties.
For breach 36 the sanctions imposed were a reprimand and reassignment of duties.
For breach 37 the sanction imposed was a reprimand.

**Australian Federal Police & the Australian Institute of Police Management**
Not applicable.

**Australian Government Solicitor**
Not applicable.

**Australian Human Rights Commission**
Not applicable.

**Australian Institute of Criminology & the Criminology Research Council**
Not applicable.

**Australian Law Reform Commission**
Not applicable.

**Australian Security Intelligence Organisation**
Not applicable.

**Australian Transaction Reports and Analysis Centre**
For Breach 1 the sanction imposed was a 5% reduction in salary and a reprimand.

**Commonwealth Director of Public Prosecutions**
Not applicable.
CrimTrac
The sanction imposed was for the behaviour to be managed through a formal performance improvement plan. Whilst this was the recommendation, the individual concerned has engaged legal representation and the formality of this recommendation has yet to be instigated.

Family Court of Australia
The sanction imposed was a formal reprimand for the conduct of the employee; and, a reduction in pay of one increment.

Federal Court of Australia, Australian Competition Tribunal, Copyright Tribunal of Australia & Defence Force Discipline Appeal Tribunal
Investigation is still underway.

Federal Magistrates Court of Australia
Not applicable.

High Court of Australia
Not applicable.

Insolvency and Trustee Service Australia
For Breach 1 the sanction imposed was termination of employment.
For Breach 2 there was no sanction imposed as the employee resigned.

National Native Title Tribunal
Not applicable.

Office of Parliamentary Counsel
Not applicable.

Families, Housing, Community Services and Indigenous Affairs
(Question No. 1099)

Senator Siewert asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 8 September 2011:

(1) Can details be provided on how much the Blue and White 'No Alcohol, No Pornography' signs posted at prescribed area communities in the Northern Territory cost in relation to: (a) production; (b) transportation and installation; and (c) maintenance.

(2) How many signs were installed in total.

(3) How were signs maintained and by whom.

(4) How many signs were vandalized, and how many of those vandalized signs were replaced.

(5) In regard to signs that were removed or repainted by the department: (a) how many signs were removed or repainted; and (b) what was the cost of removing or repainting these signs.

Senator Arbib: The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator's question:

(1) (a) and (b) The production and installation of the Northern Territory National Emergency Response Alcohol and Prohibited Materials signs cost the Australian Government $1,351,074.42 (GST exclusive). This figure includes transportation costs of $113,972.64 (GST exclusive). (c) Maintenance costs are not included in this figure. Please refer to the answer to Question (3) below.

(2) A total of 405 signs were installed.
(3) Through the Closing the Gap in the Northern Territory National Partnership Agreement (NPA), the Australian Government provides funding to the Northern Territory Department of Justice (NT DoJ) to maintain the signs. The signs are inspected by the Licensing Inspectors engaged by NT DoJ.

(4) NT DoJ is responsible for replacing or repairing signs that have been damaged, defaced or vandalised. Records show that 47 signs were repaired or replaced in 2010-11.

(5) (a) Seven signs were removed by the Licensing Commission. The number of signs that were repainted is inclusive of the figure in the answer to Question (4) above. (b) The specific costs incurred by the NT DoJ is not known by the Department of Families, Housing, Community Services and Indigenous Affairs as financial reporting under the NPA is not yet due.

Defence

(Question No. 1100)

Senator Bob Brown asked the Minister representing the Minister for Defence, upon notice, on 8 September 2011:

(1) Can a list be provided, by year, of the total amount of military spending expended exclusively in Afghanistan from 2001 to the present.

(2) What is the projected amount of military spending to be expended exclusively in Afghanistan over the next 4 years.

(3) How much did the Australian Defence Force (ADF) spend on Overseas Development Assistance (ODA) eligible aid in Afghanistan in the 2010-11 financial year.

(4) Can a breakdown of expenditure, by project, be provided for ADF delivered ODA eligible aid to Afghanistan in the 2010-11 financial year.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) Operation Slipper is the Australian Defence Force's (ADF) contribution to the international coalition against terrorism and covers Afghanistan and the Middle East Area of Operation (MEAO). In addition to Operation Slipper the Government has approved a range of Force Protection measures to provide direct protection for Australian Defence Force members from small-arms, improvised explosive devices and indirect fire. The table below (available from the Senate Table Office) shows the net additional cost of Operation Slipper and Force Protection from 2001 to the present.

(2) The Government has agreed funding for Operation Slipper (Afghanistan and the Middle East Area of Operation) of $1,221.8 million in 2011-12 Budget, and in the forward estimates $299.6 million in 2012-13 and $139.2 million in 2013-14 (as published in Table 13 of the Portfolio Budget Statements 2011-12). This covers an Australian Defence Force personnel commitment to 30 June 2012 with funding provided in the forward estimates for costs associated with return of equipment to Australian and its remediation and a contribution to the Afghan National Army Trust Fund. Any ADF personnel commitment beyond 30 June 2012 will be considered by Government in its consideration of the 2012-13 Defence Budget Submission.

In addition to Operation Slipper the Government has agreed funding for Force Protection of $482.4 million in 2011-12 Budget, and $190.6 million in 2012-13 (as published in Table 13 of the Portfolio Budget Statements 2011-12).

(3) As reported to AusAID in Defence's June 2011 return, Defence spent $18.623 million on Australia's resource flows to developing countries on Official Development Assistance (ODA) in Afghanistan.

(4) A break down of the expenditure by project on Official Development Assistance (ODA) in Afghanistan is shown in the table below (available from the Senate Table Office). In accordance with
arrangements agreed by AusAID, Defence reports expenses incurred with the delivery of Official Development Assistance. In the case of Afghanistan this includes allowances, logistics support and other costs of personnel deployed undertaking Reconstruction Tasks.

**Christmas Island Detention Centre**

(Question No. 1104)

**Senator Cormann** asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 9 September 2011:

With reference to the riots on Christmas Island in March 2011:

(1) How many people were identified as being organisers or participants in the riots and for each of those people identified:

(a) how many were arrested as a result of taking part in these riots; and

(b) how many were charged with criminal offences as a result of taking part in these riots.

(2) In relation to each person charged with a criminal offence, how many:

(a) have been convicted of a criminal offence;

(b) have been found guilty of a criminal offence but not convicted;

(c) have been found not guilty of a criminal offence;

(d) have had any charges withdrawn or otherwise not proceeded with;

(e) are still awaiting the finalisation of criminal proceedings;

(f) have had asylum claims processed and determined in Australia; and

(g) are still awaiting determination of their asylum claims.

(3) In relation to each person charged with a criminal offence who have had asylum claims processed and determined in Australia, how many have been:

(a) accepted as asylum seekers;

(b) rejected as not being asylum seekers;

(c) rejected on character grounds not relating to the riots in March 2011; and

(d) rejected on character grounds relating to the riots in March 2011.

(4) In relation to each person charged with a criminal offence who are still awaiting determination of their asylum claims, how many are:

(a) currently in immigration detention on Christmas Island;

(b) currently within a detention centre in Australia;

(c) currently in community detention;

(d) currently settled in Australia; and

(e) no longer in Australia.

**Senator Carr:** The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

DIAC does not hold this information, however advice was sought from the AFP and they have provided the following responses:

(1) 22 people were identified as being participants or organisers in the riots.

(a) 22 were arrested.

(b) 22 were charged with various offences under Commonwealth and Western Australian State legislation.
(2) All 22 individuals were scheduled to appear in court on 12 October 2011. Any further questions relating to these matters should be addressed to the Minister for Home Affairs and Justice.

(3) No decisions will be made on these 22 individuals until all criminal proceedings are finalised.

(4) Of these 22 clients:
- 14 remain on Christmas Island; and
- the remaining 8 are accommodated at a detention centre on the Australian mainland.

Pontville Detention Centre
(Question No. 1106)

Senator Abetz asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 13 September:

In regard to the Pontville Detention Centre:

(1) When was the first approval provided prior to building commencing?
(2) When was the tender for the project granted to Fairbrother?
(3) When did the building work commence?
(4) Have any workers been working extended shifts; if so, how long and for how many days (specify each)
(5) Was any assessment made on the impact on the detainees of activities at the rifle range; if so, what did it disclose; if not, why not.

Senator Carr: The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

(1) DIAC provided written project notification to the Parliamentary Works Committee (PWC) on the 11 April 2011. The Department received PWC agreement to the project proceeding on 2 June 2011.

(2) The tender for the project was granted to Fairbrother on 24 June 2011.

(3) Site condition reports, surveys and architectural designs commenced on 5 April 2011. Site preparation commenced on 20 June 2011.

(4) Fairbrother, as the managing contractor, has ensured that labour is managed with the objective of achieving key project milestones within budget on 7 day a week basis for the full duration of the project. This was noted in the tender documents as a Condition of Tender whereby tenderers were required to make all the necessary allowances including working hours to achieve the program.

As a result of this, resource allocation has at all times been managed in accordance with the Industrial Occupational Health & Safety regulations, with emphasis placed on fatigue management and the impact of adverse weather conditions.

(5) During discussions with Defence regarding the use of the facility it was agreed that the rifle range would not be used because of the close proximity to the centre.

Detainees at the centre have and/or will be notified of the potential noise associated from the use of private pistol club which is located some kilometres away.
Sustainability, Environment, Water, Population and Communities
(Question No. 1109)

Senator Birmingham asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 12 September 2011:

With reference to the answer to question no. 92 taken on notice during the 2011-12 Budget estimates hearings of the Environment and Communications Legislation Committee in May 2011, can details be provided of all dam related projects, approved, rejected or under assessment under the Environment Protection and Biodiversity Act 1999 since 2006, as outlined in the answer.

Senator Conroy: The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

Since 2006, the department has received a total of 23 referrals under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) which are dam related proposals with a water storage capacity of 100 megalitres or over.

A summary of all 23 dam related proposals is attached. Further details on each project are available at the department's website: http://www.environment.gov.au/epbc/

Attachment

<table>
<thead>
<tr>
<th>Dam related actions above 100ML which were determined not a controlled action</th>
<th>Decision date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cressbrook Dam Spillway Upgrade, QLD (EPBC 2011/6073)</td>
<td>5 September 2011</td>
</tr>
<tr>
<td>Brighton Off River Water Storage Project (EPBC 2010/5789)</td>
<td>21 January 2011</td>
</tr>
<tr>
<td>Catagunya Dam Refurbishment, Tas (EPBC 2008/4343)</td>
<td>14 August 2008</td>
</tr>
<tr>
<td>Gunnee Station Water Storage Dam, NSW (EPBC 2007/3234)</td>
<td>13 February 2007</td>
</tr>
<tr>
<td>Blumans Creek, Storage Dam, Tas (EPBC 2006/3172)</td>
<td>21 December 2006</td>
</tr>
<tr>
<td>Cedar Grove Weir (EPBC 2006/2731)</td>
<td>1 May 2006</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dam related actions above 100ML which have been approved</th>
<th>Approval date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Millstream Dam Expansion, WA (EPBC 2010/5614)</td>
<td>28 October 2010</td>
</tr>
<tr>
<td>Blackman Rivulet Dam, Tas (EPBC 2009/5159)</td>
<td>7 January 2010</td>
</tr>
<tr>
<td>Duckhole Rivulet Dam, Tas (EPBC 2009/4917)</td>
<td>11 August 2010</td>
</tr>
<tr>
<td>Cotter Dam Expansion, ACT (EPBC 2008/4524)</td>
<td>21 October 2009</td>
</tr>
<tr>
<td>Glebe Weir Expansion, QLD (2008/4285)</td>
<td>14 March 2011</td>
</tr>
<tr>
<td>Maylands Dam, weir and pipeline, SA (EPBC 2007/3873)</td>
<td>5 March 2009</td>
</tr>
<tr>
<td>Hinze Dam Upgrade, QLD (2006/3211)</td>
<td>20 December 2007</td>
</tr>
<tr>
<td>Upgrade of Keepit Dam, NSW (EPBC 2006/3186)</td>
<td>10 January 2010</td>
</tr>
<tr>
<td>Wyaralong Dam, QLD (EPBC 2006/3157)</td>
<td>24 November 2008</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dam related actions above 100ML currently under assessment</th>
<th>Assessment approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooby Dam Spillway Upgrade, QLD (2011/6074)</td>
<td>Controlled action decision and assessment approach not yet decided.</td>
</tr>
<tr>
<td>Lower Fitzroy Infrastructure Project, QLD (EPBC 2008/5173)</td>
<td>Assessment by Environmental Impact Statement</td>
</tr>
<tr>
<td>Connors River Dam, QLD (EPBC 2008/4429)</td>
<td>Assessment by Environmental Impact Statement under the Bilateral Agreement with the Queensland Government</td>
</tr>
<tr>
<td>Nathan Dam, QLD (EPBC 2008/4313)</td>
<td>Assessment by Environmental Impact</td>
</tr>
</tbody>
</table>
Dam related actions above 100ML currently under assessment

<table>
<thead>
<tr>
<th>Dam related actions above 100ML currently under assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weir at Pomanda Island, SA (EPBC 2007/3484)</td>
</tr>
<tr>
<td>Emu Swamp Dam, QLD (EPBC 2006/3201)</td>
</tr>
</tbody>
</table>

Assessment approach

<table>
<thead>
<tr>
<th>Assessment approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statement under the Bilateral Agreement with the Queensland Government</td>
</tr>
<tr>
<td>Environmental Impact Statement</td>
</tr>
<tr>
<td>Assessment by Environmental Impact</td>
</tr>
<tr>
<td>Statement under the Bilateral Agreement with the Queensland Government</td>
</tr>
</tbody>
</table>

Dam related actions above 100ML withdrawn or refused

<table>
<thead>
<tr>
<th>Dam related actions above 100ML withdrawn or refused</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tillegra Dam, NSW (EPBC 2008/4551)</td>
</tr>
<tr>
<td>Traveston Dam, QLD (EPBC 2006/3150)</td>
</tr>
</tbody>
</table>

Decision

<table>
<thead>
<tr>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withdrawn</td>
</tr>
<tr>
<td>Refused</td>
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Date

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<tr>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 November 2010</td>
</tr>
<tr>
<td>2 December 2009</td>
</tr>
</tbody>
</table>


*(Question Nos 1113, 1125, 1138 and 1141)*

**Senator Humphries** asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Minister representing the Minister for School Education, Early Childhood and Youth, Minister representing the Minister for Employment Participation and Childcare, and Minister representing the Minister for Indigenous Employment and Economic Development, upon notice, on 12 September 2011:

1. Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.
2. Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.
3. What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

**Senator Chris Evans:** The answer to the honourable senator's question is as follows:

A summary table responding to the question is provided at Attachment A.

**Attachment A**

**Education, Employment and Workplace Relations Portfolio:**

<table>
<thead>
<tr>
<th>Agency</th>
<th>2010-11 ASL</th>
<th>2011-12 ASL</th>
<th>Question 1</th>
<th>Question 2</th>
<th>Question 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i)</td>
<td>(i)</td>
<td>Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification?</td>
<td>Are there any planned staffing number reductions?</td>
<td>What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc?</td>
</tr>
<tr>
<td>Department of Education, Employment and Workplace Relations</td>
<td>5,070</td>
<td>4,800</td>
<td>Change in ASL reported in 2011-12 Budget Paper No. 1. In 2011-12 the Department's latest assessment is that it will need to meet a staff reduction of approximately 200 people. The department is managing this reduction through natural attrition and strengthened focus on internal mobility and</td>
<td></td>
<td>Graduate and other recruitment programs will continue. Numbers recruited will have regard to business needs and available resources.</td>
</tr>
</tbody>
</table>
### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>Agency</th>
<th>2010-11 ASL (i)</th>
<th>2011-12 ASL (i)</th>
<th>Question 1</th>
<th>Question 2</th>
<th>Question 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Curriculum, Assessment and Reporting Authority</td>
<td>106</td>
<td>108</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Australian Institute for Teaching and School Leadership</td>
<td>21</td>
<td>34</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Australian Learning and Teaching Council</td>
<td>31</td>
<td>8</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Comcare, The Safety Rehabilitation and Compensation, and the Seafarers Safety, Rehabilitation and Compensation Authority</td>
<td>637</td>
<td>642</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Fair Work Australia</td>
<td>329</td>
<td>332</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Fair Work Ombudsman</td>
<td>686</td>
<td>855</td>
<td>Not Applicable</td>
<td>No</td>
<td>No change is planned to recruitment through any entry level programs.</td>
</tr>
<tr>
<td>National Vocational Education and Training Regulator</td>
<td>0</td>
<td>155</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>(Australian Skills Quality Authority)</td>
<td>155</td>
<td>155</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Office of the Australian Building and Construction Commissioner</td>
<td>107</td>
<td>110</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Safe Work Australia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(i) Reference Table C5: Estimates of average staffing level (ASL) of agencies in the Australian Government general government sector, Budget Paper No. 1 2011-12

Efforts are focused on four elements of matching people to work, welcoming ideas on saving time and money, supporting people to be the best they can be and balancing responsibilities better.

The reduction in ASL numbers relates to the decision to abolish the ALTC operations. The ASL levels forecast for 2011-12 primarily had carriage of winding up the operations of the agency, and finalising delivery of the remaining agency work plan.

The increased ASL for the agency reflects that 2011-12 will be the first year of operation.
Senator Humphries asked the Minister representing the Minister for Defence, the Minister representing the Minister for Defence Science and Personnel and the Minister representing the Minister for Defence Materiel, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) and (2) As announced by the Minister on 6 May 11, Defence will undertake further reform and rationalisation of shared services. This means Defence will forgo planned growth to its workforce of -631 in 2011-12, -832 in 2012-13 and -1000 from 2013-14 onwards.

The intent is to realise workforce reductions in corporate overhead functions in a way that does not reduce standards of service in support of operations or capability development. The detailed analysis work on how the reform will be made is still under way. It is not possible to provide details of classifications or locations.

Over the same period, there will still be growth in Defence of +976 Australian Public Servants, due to:

- growth of +732 for the implementation of Force 2030 capability initiatives;
- growth of +677 under the Strategic Reform Program arising from the conversion to Australian Public Servants of more expensive contractor and military positions;
- reductions totalling -530 under the Strategic Reform Program from efficiency improvements and the introduction of a first phase of Shared Services reform; and
- other minor variations totalling +97.

(3) An externally led review of shared services has recently been finalised. Graduate programs were included in the scope of the Review. Formal decisions will soon be made with regard to the adoption of a shared services model.

The development of shared services is consistent with Defence's budgetary goal to improve the efficiency and effectiveness of expenditure on a range of internal services. The adoption of a shared services approach would involve changes to the administration of graduate programs in Defence. No reductions to graduate recruitment levels are currently planned. No changes are currently planned for cadetship programs.

Senator Humphries asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 13 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the Efficiency Dividend and/or other budget cuts; if so, in which areas and at what classification.
(2) Are there any plans for staff reductions in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Carr: The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

(1) The 2011-12 Budget contained new savings and increased Efficiency Dividend measures for the portfolio. There were also a range of new Budget expense measures and processing activity variations which increased program expense estimates.

In aggregate terms (and as reported in the 2011-12 Portfolio Budget Estimates Statements) there will be increases in staffing levels across DIAC and the MRT-RRT, the greatest proportion of these increases are targeted at meeting the estimated resourcing requirements associated with the care and management of Irregular Maritime Arrivals (IMA). Given the complexity of the mix of expense variations in the Budget it is not possible to break these down to specific staffing adjustments.

The Efficiency Dividend and savings measure requirements will be managed through detailed business planning and prioritisation of resources. The Department also has a range of projects underway which are aimed at achieving efficiencies generated by business improvements. Where possible any staff impacted by reduced program appropriation or the achievement of efficiency measures will be redeployed to program areas where increased staffing levels are required.

(2) The 2011-12 Portfolio Budget Statement estimates (PBS) indicate an increase of 476 average full-time equivalent employees (FTE-A) when compared with the 2010-11 Portfolio Budget Statement Estimates (PAES) of 7715. Likewise, MRT/RRT reported an expected increase of five in the PBS (page 103). This is an aggregate outcome and the current reduced budget will necessitate changes in staffing levels in business units within the Department, particularly those not engaged in IMA work. Managers are accountable for remaining within budgeted FTE levels through rigorous business and workforce planning. Negotiations for the Department's new Enterprise Agreement have led to additional costs which will also require a reduction in staffing levels. This reduction will be met through the natural attrition of 180 staff by 30 June 2015.

(3) Action is currently underway for the Department to recruit up to 70 graduates for the 2012 graduate program. This is higher than the number recruited in each of the last four years.

The Department continues to support the Australian Public Service Commission's Indigenous Pathways Program for 2012. Five Indigenous students have accepted offers of a cadetship with the Department; this represents an increase on the number of cadetships supported in 2011. Indigenous traineeships will be offered for the first time in late 2011, with an initial commitment of ten placements being offered.

Sustainability, Environment, Water, Population and Communities: Staffing

(Question No. 1123)

Senator Humphries asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.
Senator Conroy: The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

(1)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Sustainability, Environment, Water, Population and Communities</td>
<td>No. In 2011–12 there have so far been no significant impacts, including staff losses, felt from the efficiency dividend.</td>
</tr>
<tr>
<td>Bureau of Meteorology</td>
<td>No</td>
</tr>
<tr>
<td>Great Barrier Reef Marine Park Authority</td>
<td>No</td>
</tr>
<tr>
<td>Murray Darling Basin Authority</td>
<td>No</td>
</tr>
<tr>
<td>National Water Commission</td>
<td>No</td>
</tr>
</tbody>
</table>

(2)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Sustainability, Environment, Water, Population and Communities</td>
<td>No</td>
</tr>
<tr>
<td>Bureau of Meteorology</td>
<td>At this stage there are no plans for staff reductions.</td>
</tr>
<tr>
<td>Great Barrier Reef Marine Park Authority</td>
<td>The Portfolio Budget Statement shows a reduction in staffing levels from 220 to 215, which represents a net change in staffing numbers. It includes reductions associated with the cessation of the: Graduate Program—discontinued at the end of 2010-11 as part of its savings measures Marine Monitoring Program—positions were originally funded under the Marine Monitoring component of Reef Rescue (DSEWPaC) but this ceased at the end of 2008-09; positions were then funded by GBRMPA until the end of the original contracts (30 Jun 2011).</td>
</tr>
<tr>
<td>Murray Darling Basin Authority</td>
<td>No</td>
</tr>
<tr>
<td>National Water Commission</td>
<td>The Commission does not currently have any plans for staff reductions.</td>
</tr>
</tbody>
</table>

(3)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Sustainability, Environment, Water, Population and Communities</td>
<td>Graduate intake numbers for the department are planned to rise from 29 in 2011 to 45 in 2012. Indigenous cadet numbers and school leaver trainee numbers will remain steady in 2012.</td>
</tr>
<tr>
<td>Bureau of Meteorology</td>
<td>The Bureau's graduate recruitment is limited to the recruitment of graduates for the Diploma in Meteorology. The numbers recruited vary from year to year for reasons including the number of separations from the Bureau.</td>
</tr>
<tr>
<td>Great Barrier Reef Marine Park Authority</td>
<td>There are no specific plans to conduct another graduate program in the near future.</td>
</tr>
<tr>
<td>Murray Darling Basin Authority</td>
<td>No changes are proposed to the Authority's existing graduate program.</td>
</tr>
<tr>
<td>National Water Commission</td>
<td>The Commission has no plans for graduate recruitment, cadetships or similar programs.</td>
</tr>
</tbody>
</table>
Resources and Energy, and Tourism: Staffing
(Question Nos 1129 and 1130)

Senator Humphries  asked the Minister representing the Minister for Resources and Energy and Minister for Tourism, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister’s portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister’s portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Sherry:  The Minister for Resources and Energy and the Minister for Tourism has provided the following answer to the honourable senator’s question:

(1) The table below listed in Budget Paper 1, shows the change in Average staffing levels from 2010-11 to 2011-12 for the agencies within my portfolio.

<table>
<thead>
<tr>
<th>Resources, Energy and Tourism</th>
<th>Average staffing levels</th>
<th>2010-11</th>
<th>2011-12</th>
<th>Change</th>
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</thead>
<tbody>
<tr>
<td>Department of Resources, Energy and Tourism</td>
<td></td>
<td>471</td>
<td>523</td>
<td>52</td>
</tr>
<tr>
<td>Australian Solar Institute Limited</td>
<td></td>
<td>5</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Geoscience Australia</td>
<td></td>
<td>678</td>
<td>666</td>
<td>-12</td>
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<tr>
<td>National Offshore Petroleum Safety Authority</td>
<td></td>
<td>62</td>
<td>76</td>
<td>14</td>
</tr>
<tr>
<td>Tourism Australia</td>
<td></td>
<td>205</td>
<td>206</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1,421</td>
<td>1,478</td>
<td>57</td>
</tr>
</tbody>
</table>

Geoscience Australia is the only agency in my portfolio estimating a reduction in their Average staffing levels from 2010-11 to 2011-12. The estimated reduction is due to a number of factors, and may have been exacerbated by the application of the efficiency dividend of the 21 April 2011. It is therefore not possible to provide information on the areas and classifications which may be affected.

Only three agencies in my portfolio are affected by efficiency dividends – the Department of Resources, Energy and Tourism, Geoscience Australia and Tourism Australia.

(2) While Geoscience Australia have estimated a reduction in ASL from 2010-11 to 2011-12, mitigating strategies have been put in place to avoid staff reductions if possible.

(3) The agencies within my portfolio with graduate recruitment, cadetships and other programs remain committed to these programs and no reductions are envisaged at this time.

Social Inclusion: Staffing
(Question No. 1133)

Senator Humphries  asked the Minister representing the Minister for Social Inclusion, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister’s portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister’s portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.
Senator Arbib: The Minister for Social Inclusion has provided the following answer to the honourable senator's question:

Australian Institute of Family Studies:

(1) There has been no specific target for staff reductions to achieve savings, however, staffing levels have been closely monitored and managed through redeployment within the Institute and through natural attrition, to achieve efficiencies.

(2) The Institute does not have any staff reduction plans in place.

(3) The Institute does not currently have a graduate or cadet program.

Refer to QONs 1111, 1116, 1135, 1140 and 1148 for answers from other PM&C portfolio ministers.

Human Services: Staffing

(Question No. 1134)

Senator Humphries asked the Minister representing the Minister for Human Services, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Arbib: The Minister for Human Services has provided the following answer to the honourable senator's question:

(1) The Department of Human Services' funding and average staffing levels vary in accordance with work levels from new measures and changes to the activities undertaken by the agency. The overall movement for the portfolio staffing number is a decrease in the Average Staffing Levels (ASL) from 34,839 in 2010-11 to 33,583 in 2011-12 – a reduction of 1,256 ASL. As at April 2011, actual ASL was 34,013.

The budgeted ASL for 2011-12 is estimated taking into account new Budget measures and adjustments to budget estimates such as the application of the efficiency dividend, wage cost indexation, terminating measures, supplier expenses (property costs, utilities, etc) and wage increases.

The reduction in ASL is primarily due to underlying revenue changes for the previous Centrelink agency. In response to the global financial crisis and unemployment forecast, Centrelink increased its average staffing levels in 2009-10 to deal with a predicted increase in unemployment. The unemployment rate turned out to be better than forecasted, and as a result, the predicted workload for Centrelink did not eventuate. Since then, Centrelink had been gradually adjusting its workforce to meet the reduced workload.

(2) No.

(3) The National Graduate Program was established in March 2010. It is currently being reviewed, following the integration of Centrelink and Medicare into the department. Overall numbers for graduate recruitment, cadets and apprentices are not expected to reduce.
Privacy and Freedom of Information: Staffing
(Question No. 1135)

Senator Humphries asked the Minister representing the Minister for Privacy and Freedom of Information, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Ludwig: The Minister for Privacy and Freedom of Information has provided the following answer to the honourable senator's question:

National Archives of Australia:

(1) There has been no specific target for staff reductions to achieve savings however, staffing levels are being closely monitored and managed to achieve efficiencies.

(2) The Archives is currently implementing a policy of co-location with relevant state and territory archives offices in Darwin, Adelaide and Hobart. This has resulted in a target reduction of two positions in Darwin, three positions in Adelaide and two positions in Hobart by 1 May 2012. This reduction will be achieved through natural attrition.

(3) The Archives will begin participating in the Department of the Prime Minister and Cabinet's graduate program from February 2012 and is currently reviewing the feasibility of introducing entry level programs.

Office of the Australian Information Commissioner:

(1) There has been no specific target for staff reductions to achieve savings, however, staffing levels are being closely monitored and managed.

(2) The OAIC does not have any staff reduction plans in place.

(3) No changes are underway or planned in relation to graduate recruitment, cadetships or similar programs.

Refer to QONs 1111, 1116, 1133, 1140, and 1148 for answers from other PM&C portfolio ministers.

Status of Women: Staffing
(Question No. 1139)

Senator Humphries asked the Minister representing the Minister for the Status of Women, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.
Senator Wong: The Minister for the Status of Women has provided the following answer to the honourable senator's question:

Please refer to Senator Arbib's response to Question No. 1122 on behalf of the Minister for Families, Housing, Community Services and Indigenous Affairs.

Sport: Staffing
(Question No. 1140)

Senator Humphries asked the Minister for Sport, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Ministers portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Ministers portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Arbib: The answer to the honourable senator's question is as follows:

Australian Sports Commission (ASC)

(1) No.

(2) There are currently no specific plans. However the ASC will manage staffing levels and operational expenditure, as appropriate, to remain within allocated budgets.

(3) None.

Australian Sports Anti-Doping Authority

(1) No.

(2) No.

(3) The Australian Sports Anti-Doping Authority does not have graduate recruitment, cadetships or similar programs.

Refer to QONs 1111, 1116, 1133, 1135, and 1148 for answers from other PM&C portfolio ministers.

Social Housing and Homelessness: Staffing
(Question No. 1142)

Senator Humphries asked the Minister for Social Housing and Homelessness, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Arbib: The answer to the honourable senator's question is as follows:

Please refer to my response to Question No. 1122 on behalf of the Minister for Families, Housing, Community Services and Indigenous Affairs.
Veterans' Affairs: Staffing  
(Question No. 1144)

Senator Humphries asked the Minister representing the Minister for Veterans' Affairs, upon notice, on 13 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Chris Evans: The Minister for Veterans' Affairs has provided the following answer to the honourable senator's question:

For The Department of Veterans' Affairs (DVA):

(1) No.

(2) As shown in the Portfolio Budget Statement of 10 May 2011, the Department plans to achieve a marginal reduction from, 1,971 ASL for the 2010/11 financial year, to a figure of 1,950 ASL for the 2011/12 financial year by natural attrition. There will be no impact on service delivery, and no cuts to services/programs.

(3) There are no reductions envisaged for graduate recruitment and cadetships. Indeed, recruitment to the Department's graduate program has increased from 14 to 16, and Indigenous cadetships have increased from zero to six.

For The Australian War Memorial (AWM):

(1) No.

(2) No.

(3) None.

Status of Women: Staffing  
(Question No. 1154)

Senator Cash asked the Minister representing the Minister for the Status of Women, upon notice, on 12 September 2011:

(1) What have been the changes in staffing in the Office for Women since November 2007.

(2) Why have these changes occurred.

(3) Have any voluntary or involuntary redundancies been offered to staff since November 2007; if so, how have staff been identified for such offers.

(4) Are there such plans for the future.

Senator Wong: The Minister for the Status of Women has provided the following answer to the honourable senator's question:

(1) A small increase in average staffing numbers.

(2) To implement Government commitments.

(3) Yes. The identification of affected positions was in line with the Department's Staff Management Strategy.

(4) No.
SENATE
Tuesday, 1 November 2011

Status of Women
(Question No. 1155)

Senator Cash asked the Minister representing the Minister for the Status of Women, upon notice, on 12 September 2011:

(1) What is the status of each 2010 election commitment within the portfolio.
(2) Which election commitments are experiencing slippages.
(3) Why have these slippages occurred.
(4) Where relevant, what are the revised implementation dates.
(5) What are the implications of this slippage

Senator Wong: The Minister for the Status of Women has provided the following answer to the honourable senator's question:

(1) The Government's 2010 election commitments relevant to the FaHCSIA portfolio are in progress. A number of commitments have been delivered.

(2) to (5) The implementation of the Government's 2010 election commitments relevant to the FaHCSIA portfolio is proceeding broadly in line with announced timetables.

Status of Women
(Question No. 1156)

Senator Cash asked the Minister representing the Minister for the Status of Women, upon notice, on 12 September 2011:

(1) How much has the department spent on consultancy services since 25 August 2010.
(2) Can a list be provided of all current consultancy services, and for each consultancy: (a) what was the rationale for the project and its intended use; and (b) why did the department or its agencies not undertake the work themselves.

Senator Wong: The Minister for the Status of Women has provided the following answer to the honourable senator's question:

(1) For the period 1 August 2010 – 29 September 2011, Office for Women has spent $1,819,446.89 GST inclusive on consultancy services.

(2) A listing of the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) contracts (including consultancies), valued at $10,000 or more, is publicly available on the AusTender website and it includes the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement and the method of procurement. (a) For each consultancy contract, FaHCSIA does not keep a central register on the rationale for the project and its intended use. Obtaining this information would consume a high level of resources. (b) FaHCSIA uses consultancy contracts where skills are currently unavailable in-house, where there is a requirements for collection of quantitative/qualitative statistical information, where there is a requirement for independent or impartial research/assessment by an independent organisation, where there is a requirement for specialist/professional expertise, or when a consultant is recognised as an expert in the field and is uniquely able to provide the required services.
Tuesday, 1 November 2011

SENATE

7897

**Status of Women**

*(Question No. 1157)*

**Senator Cash** asked the Minister representing the Minister for the Status of Women, upon notice, on 12 September 2011:

(1) How much has the department spent on advertising and marketing since August 2010.

(2) Can a list be provided of all current contracts, indicating the rationale for each service provided and its intended use.

**Senator Wong:** The Minister for the Status of Women has provided the following answer to the honourable senator's question:

(1) The table below details the advertising expenditure by the Office for Women from 1 August 2010 to 31 August 2011. All figures provided are GST exclusive.

<table>
<thead>
<tr>
<th>Campaign Advertising</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Line Campaign</td>
<td>$3,795,174</td>
</tr>
<tr>
<td>(Universal McCann)</td>
<td></td>
</tr>
</tbody>
</table>

**Non-Campaign Advertising**

<table>
<thead>
<tr>
<th>Service</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruitment</td>
<td>$0</td>
</tr>
</tbody>
</table>

**TOTAL** *(figures subject to rounding)* $3,810,679

(2) The Department holds contracts with a number of agencies for the development and implementation of The Line campaign, as listed below. There are no other current advertising and marketing contracts related to the Women portfolio.

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>J Walter Thompson Australia Pty Ltd</td>
<td>Creative development of advertising and information materials, website hosting and moderation</td>
</tr>
<tr>
<td>Terry McArthur &amp; Associates Pty Ltd</td>
<td>Public relations services</td>
</tr>
<tr>
<td>Winangali Pty Ltd</td>
<td>Indigenous consultant</td>
</tr>
<tr>
<td>Cultural Partners Australia (NSW) Pty Ltd</td>
<td>Culturally and linguistically diverse (CALD) consultant</td>
</tr>
<tr>
<td>Blue Moon Unit Trust</td>
<td>Market research</td>
</tr>
<tr>
<td>Urbis Pty Ltd</td>
<td>Indigenous research consultant</td>
</tr>
<tr>
<td>The Trustee for Quiip Unit Trust</td>
<td>Community management and moderation services</td>
</tr>
<tr>
<td>Boystown</td>
<td>Senior counsellor for weekly online forums</td>
</tr>
</tbody>
</table>

**Prime Minister**

*(Question No. 1158)*

**Senator Abetz** asked the Minister representing the Prime Minister, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Ministers portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.
Senator Chris Evans: The Prime Minister has provided the following answer to the honourable senator's question:

Department of the Prime Minister and Cabinet
(1) Nil.
(2) Not Applicable.
(3) Nil.

Office of National Assessments
(1) Nil.
(2) Not Applicable.
(3) Nil.

Office of the Official Secretary to the Governor-General
(1) Nil.
(2) Not Applicable.
(3) Nil.

Refer to QONs 1163, 1180, 1182, 1187, 1197 for answers from other PM&C portfolio ministers.

Tertiary Education, Skills, Jobs and Workplace Relations, School Education, Early Childhood and Youth, Employment Participation and Childcare, and Indigenous Employment and Economic Development
(Question Nos 1160, 1172, 1185 and 1188)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Minister representing the Minister for School Education, Early Childhood and Youth, the Minister representing the Minister for Employment Participation and Childcare and the Minister for Indigenous Employment and Economic Development, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Minister's portfolio:
(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.
(2) What is the daily allowance for working at sea.
(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

Over the financial year 2010-11 there were no instances of allowances paid to government employees or contractors in the department or portfolio agencies, in respect of working at sea.

Arts
(Question No. 1163)

Senator Abetz asked the Minister representing the Minister for the Arts, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Ministers portfolio:
(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.
(2) What is the daily allowance for working at sea.
(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Arbib: The Minister for the Arts has provided the following answer to the honourable senator's question:

Australia Business Arts Foundation Ltd
(1) Nil.
(2) Not Applicable.
(3) Nil.

Australia Council
(1) Nil.
(2) Not Applicable.
(3) Nil.

Bundanon Trust
(1) Nil.
(2) Not Applicable.
(3) Nil.

Australian Film, Television and Radio School
(1) Nil.
(2) Not Applicable.
(3) Nil.

Australian National Maritime Museum
(1) The cost of allowances for working at sea cannot be identified as staff and contractors are paid on an all inclusive basis.
(2) Refer (1) above.
(3) Total of 656 crew sea days (16 paid crew members x 41 days at sea).

National Film and Sound Archive of Australia
(1) Nil.
(2) Not Applicable.
(3) Nil.

National Gallery of Australia
(1) Nil.
(2) Not Applicable.
(3) Nil.

National Library of Australia
(1) Nil.
(2) Not Applicable.
(3) Nil.

National Museum of Australia
(1) Nil.
(2) Not Applicable.

______________________________________________________________

QUESTIONS ON NOTICE
Museum of Australian Democracy at Old Parliament House
(1) Nil.
(2) Not Applicable.
(3) Nil.
Screen Australia
(1) Nil.
(2) Not Applicable.
(3) Nil.
Refer to QONs 1158, 1180, 1182, 1187, and 1197 for answers from other PM&C portfolio ministers.

Defence
(Question Nos 1165, 1192 and 1199)

Senator Abetz asked the Ministers representing the Minister for Defence, the Minister representing the Minister for Defence Science and Personnel and the Minister representing the Minister for Defence Materiel

With reference to the department and all agencies within the Minister's portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) The total cost of allowances for Department of Defence employees and contractors working at sea for the 2010-11 financial year is as follows:

   (a) Australian Public Services – approximately $149,000; and
   (b) Australian Defence Force (ADF) –

   Defence is unable to answer this question due to the difficulties extracting data from Defence's legacy ADF pay systems. To answer this question accurately would involve the redirection of significant resources from business as usual tasks and the PMKeyS Technical Refresh Project.

   The ADF allowance structure is also complex. There are several different allowances (with different tiers) used for working at sea

(2) The daily allowance for working at sea is at Attachment A (available from the Senate Table Office).

(3) The total days spent at sea in the 2010-11 financial year are as follows:

   (a) Australian Public Services – 1,128; and
   (b) Australian Defence Force – as above.
Sustainability, Environment, Water, Population and Communities  
(Question No. 1170)  
Senator Abetz asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 13 September 2011: 

With reference to the department and all agencies within the Minister's portfolio: 

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year? 

(2) What is the daily allowance for working at sea? 

(3) How many days in total were spent at sea in the 2010-11 financial year? 

Senator Conroy: The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question: 

(1) The Department of Sustainability, Environment, Water, Population and Communities departmental records indicate that in the 2010-11 financial year the total cost payable to staff for "at sea allowance" under the Department's Enterprise Agreement—Clause F30 was $3813.54. 

(2) The daily allowance for "at sea allowance" is $97.86. 

(3) A total of 39 staff days were spent at sea in the 2010-11 financial year. 

1The Australian Antarctic Division (AAD) is specifically excluded from the “at sea allowance” as employees who are working at sea or transiting to and from Antarctica (either by sea or air) are paid an Antarctic Service Allowance at the daily rate of $144.15 for Head Office employees, and $138.59 for expeditioner employees from the day of departure to the day of return. An additional loading of 40% is paid if they are considered to be working in an especially remote location (on land or at sea). Because the allowance is payable whether an expeditioner is on land or at sea or on duty or off duty, it is not possible for the department to disaggregate the number of days when expeditioners are "working at sea". 

Innovation, Industry, Science and Research  
(Question No. 1173)  
Senator Abetz asked the Minister for Innovation, Industry, Science and Research, upon notice, on 13 September 2011: 

With reference to the department and all agencies within the Minister's portfolio: 

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year. 

(2) what is the daily allowance for working at sea 

Senator Carr: The answer to the honourable senator's question is as follows: 

(1) Nil 

(2) N/A 

Attorney-General  
(Question Nos 1174, 1183 and 1184)  
Senator Abetz asked the minister representing the Attorney-General. upon notice, on 13 September 2011: 

With reference to the department and all agencies within the Minister's portfolio: 

QUESTIONS ON NOTICE
(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.
(2) What is the daily allowance for working at sea.
(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Ludwig: The Attorney-General has provided the following answer to the honourable senator's question:

The Attorney-General's Department and the following agencies do not employ any personnel who work at sea:


(1) Australian Customs and Border Protection Service

The total cost of allowances for Customs and Border Protection Marine Unit officers working at sea for the 2010-11 financial year was $14,155,661. For contract vessels, Customs and Border Protection pays a set lease cost to the contractor and does not provide specific allowances for the contractors' employees working at sea.

Australian Federal Police & the Australian Institute of Police Management

The AFP does not have an allowance for "working at sea".

Federal Court of Australia, Australian Competition Tribunal, Copyright Tribunal of Australia & Defence Force Discipline Appeal Tribunal

Nil.

(2) Australian Customs and Border Protection Service

The daily allowances for working at sea for Customs and Border Protection Marine Unit officers are as follows:

<table>
<thead>
<tr>
<th>Allowance Type</th>
<th>Per day amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Aid:</td>
<td></td>
</tr>
<tr>
<td>Senior First Aid</td>
<td>$1.55</td>
</tr>
<tr>
<td>Advanced First Aid</td>
<td>$1.91</td>
</tr>
<tr>
<td>Occupational First Aid</td>
<td>$2.34</td>
</tr>
<tr>
<td>Committed Marine Allowance: 60% x Base Salary*</td>
<td>$87.51 to $154.00</td>
</tr>
<tr>
<td>Meals and Incidentals Allowance</td>
<td>$16.85</td>
</tr>
<tr>
<td>Accommodation Allowance</td>
<td>$51.44</td>
</tr>
<tr>
<td>Use of Force Allowance</td>
<td>$6.49</td>
</tr>
<tr>
<td>Southern Ocean Operations Allowance</td>
<td>$173.40</td>
</tr>
<tr>
<td>Operational Safety Trainers Allowance</td>
<td>$1.84</td>
</tr>
</tbody>
</table>

*Salary range for Customs and Border Protection Marine Unit officers (Customs Levels 1 to 3): $45,651 to $80,335

Australian Federal Police & the Australian Institute of Police Management

The AFP does not have an allowance for "working at sea".
Federal Court of Australia, Australian Competition Tribunal, Copyright Tribunal of Australia & Defence Force Discipline Appeal Tribunal

The duties of a Federal Court Admiralty Marshal may involve work at sea but generally does not. Where a staff member undertaking this function occupies a position classified below APS Level 6 they are paid higher duties allowance at the APS 6 level, currently $70,327 pa.

(3) Australian Customs and Border Protection Service

3135.

Australian Federal Police & the Australian Institute of Police Management

None.

Federal Court of Australia, Australian Competition Tribunal, Copyright Tribunal of Australia & Defence Force Discipline Appeal Tribunal

None.

Agriculture, Fisheries and Forestry

(Question No. 1175)

Senator Abetz asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Minister's portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Ludwig: The answer to the honourable senator's question is as follows:

(1) The total cost of allowances for government employee's or contractors working at sea for 2010-11 financial year is $787748.

(2) The daily allowance for working at sea is:

Land Based Officers
$114.64 per day At Sea Allowance.
$40.23 after 24 hours and $20.12 for every completed 12 hours thereafter.

Marine Travel Allowance (MTA) is non taxable

Fisheries Compliance Officers
$196.16 per day At Sea Allowance
$40.23 after 24 hours and $20.12 for every completed 12 hours thereafter.

Marine Travel Allowance (MTA) is non taxable

Observers
$172.80 per day At Sea Allowance

(3) The total number of days that have been spent at sea 2010-11 financial year were 3424.
Resources and Energy (Question Nos 1176 and 1177) 

Senator Abetz asked the Minister representing the Minister for Resources and Energy, upon notice, on 13 September 2011:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Sherry: The Minister for Resources and Energy has provided the following answer to the honourable senator's question:

Geoscience Australia

(1) $77,563.78
Note: APS only

(2) Marine Survey allowance of $15.81 per day (paid after an employee's first 24 hour period at sea).

Extra Duty Field Allowance is not paid as a daily allowance and is applicable to all field work regardless of location. It is calculated based on the number of hours worked outside normal working hours and is capped (per field trip) at 27.5 hours for employees at APS levels 1-6, and 12.5 hours for those at Executive Level 1-2.

For APS levels 1-6, this allowance is paid at 1.6 times the employee's ordinary hourly rate of pay. For employees at Executive Level 1-2, this allowance is paid at 1.6 times the hourly rate of the maximum Pay Point of an APS6 Salary.

Vessel Based Shift Provision is not paid as a daily allowance. To be eligible for this provision, all or part of a shift must have been worked at sea. The whole shift is then subject to a 15% penalty rate payment.

(3) 299.