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SITTING DAYS—2016

<table>
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<tr>
<th>Month</th>
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<td>December</td>
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- PERTH 585AM
- SYDNEY 630AM

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

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

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

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

Printed by authority of the Senate
<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
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<td>Back, Christopher John</td>
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<td>Bernardi, Cory</td>
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<td>Brandis, Hon. George Henry, QC</td>
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<td>Moore, Claire Mary</td>
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<td>Muir, Ricky Lee</td>
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<td>Nash, Hon. Fiona Joy</td>
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Senator | State or Territory | Term expires | Party
--- | --- | --- | ---
O'Neill, Deborah Mary (1) | NSW | 30.6.2020 | ALP
O'Sullivan, Barry James | QLD | 30.6.2020 | NATS
Parry, Stephen Shane | TAS | 30.6.2017 | LP
Payne, Hon. Marie Anne | NSW | 30.6.2020 | LP
Peris, Nova Maree, OAM | NT | 30.6.2017 | ALP
Polley, Helen Beatrice | TAS | 30.6.2017 | ALP
Reynolds, Linda Karen, CSC | WA | 30.6.2020 | LP
Rhiannon, Lee | NSW | 30.6.2017 | AG
Rice, Janet Elizabeth | VIC | 30.6.2020 | AG
Ruston, Anne Sowerby | SA | 30.6.2017 | LP
Ryan, Hon. Scott Michael | VIC | 30.6.2020 | LP
Scullion, Hon. Nigel Gregory | NT | 30.6.2017 | CLP
Seselja, Zdenko Matthew | ACT | 30.6.2017 | LP
Siewert, Rachel Mary | WA | 30.6.2017 | AG
Simms, Robert Andrew (6) | SA | 30.6.2017 | AG
Singh, Hon. Lisa Maria | TAS | 30.6.2017 | ALP
Sinodinos, Hon. Arthur | NSW | 30.6.2020 | LP
Smith, Dean Anthony | WA | 30.6.2017 | LP
Sterle, Glenn | WA | 30.6.2017 | ALP
Urquhart, Anne Elizabeth | TAS | 30.6.2017 | ALP
Wang, Zhenya | WA | 30.6.2020 | PUP
Waters, Larissa Joy | QLD | 30.6.2017 | AG
Whish-Wilson, Peter Stuart | TAS | 30.6.2020 | AG
Williams, John Reginald | NSW | 30.6.2020 | NATS
Wong, Hon. Penelope Ying Yen | SA | 30.6.2020 | ALP
Xenophon, Nicholas | SA | 30.6.2020 | IND
**Casual vacancy**

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

<table>
<thead>
<tr>
<th>Territory</th>
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<th>Party</th>
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<th>Party</th>
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<td>Scullion, N. G.</td>
<td>CLP</td>
<td>Peris, N.M.</td>
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(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J Faulkner), pursuant to section 15 of the Constitution.
(3) Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice C. Milne), pursuant to section 15 of the Constitution
(6) Chosen by the Parliament of South Australia to fill a casual vacancy (vice P Wright), pursuant to section 15 of the Constitution

** Casual vacancy to be filled (vice M Ronaldson, resigned 28.2.16), pursuant to section 15 of the Constitution
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP— Palmer United Party

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—P Bowen
# Turnbull Ministry

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<th>Title</th>
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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon Malcolm Turnbull MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister for Women</strong></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Cabinet Secretary</strong></td>
<td>Senator the Hon Arthur Sinodinos AO</td>
</tr>
<tr>
<td><em>Minister Assisting the Prime Minister for the Public Service</em></td>
<td>The Hon Michaelia Cash</td>
</tr>
<tr>
<td><em>Minister Assisting the Prime Minister for Counter-Terrorism</em></td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Assistant Minister to the Prime Minister</strong></td>
<td>Senator the Hon James McGrath</td>
</tr>
<tr>
<td><strong>Assistant Minister for Cities and Digital Transformation</strong></td>
<td>The Hon Angus Taylor MP</td>
</tr>
<tr>
<td><strong>Assistant Cabinet Secretary</strong></td>
<td>The Hon Dr Peter Hendy MP</td>
</tr>
<tr>
<td><strong>Deputy Prime Minister and Minister for Agriculture and Water Resources</strong></td>
<td>The Hon Barnaby Joyce MP</td>
</tr>
<tr>
<td><em>Assistant Minister for Agriculture and Water Resources</em></td>
<td>Senator the Hon Anne Ruston</td>
</tr>
<tr>
<td><em>Assistant Minister to the Deputy Prime Minister</em></td>
<td>The Hon Keith Pitt MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon Steve Ciobo MP</td>
</tr>
<tr>
<td><strong>Minister for International Development and the Pacific</strong></td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td><strong>Minister for Tourism and International Education</strong></td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td><em>Minister Assisting the Minister for Trade and Investment</em></td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td><strong>Attorney-General</strong></td>
<td>Senator the Hon George Brandis QC</td>
</tr>
<tr>
<td><em>(Vice-President of the Executive Council)</em></td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td><em>(Leader of the Government in the Senate)</em></td>
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<tr>
<td><strong>Minister for Justice</strong></td>
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<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon Scott Morrison MP</td>
</tr>
<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Kelly O'Dwyer MP</td>
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<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon Kelly O'Dwyer MP</td>
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<tr>
<td><strong>Assistant Minister to the Treasurer</strong></td>
<td>The Hon Alex Hawke MP</td>
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<tr>
<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon Mathias Cormann</td>
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<td>Senator the Hon Mathias Cormann</td>
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<td><strong>Special Minister of State</strong></td>
<td>The Hon Dr Peter Hendy MP</td>
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<tr>
<td><strong>Assistant Minister for Finance</strong></td>
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<tr>
<td><strong>Minister for Regional Development</strong></td>
<td>Senator the Hon Fiona Nash</td>
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<tr>
<td><strong>Minister for Infrastructure and Transport</strong></td>
<td>The Hon Darren Chester MP</td>
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<tr>
<td><em>(Deputy Leader of the House)</em></td>
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</tr>
<tr>
<td><strong>Minister for Major Projects, Territories and Local Government</strong></td>
<td>The Hon Paul Fletcher MP</td>
</tr>
<tr>
<td><strong>Minister for Industry, Innovation and Science</strong></td>
<td>The Hon Christopher Pyne MP</td>
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<tr>
<td><em>(Leader of the House)</em></td>
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<tr>
<td><strong>Minister for Resources, Energy and Northern Australia</strong></td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td><strong>Minister for Northern Australia</strong></td>
<td>Senator the Hon Matt Canavan</td>
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<tr>
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<td><em>The Hon Karen Andrews MP</em></td>
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<td><strong>Assistant Minister for Innovation</strong></td>
<td><em>The Hon Wyatt Roy MP</em></td>
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<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>The Hon Peter Dutton MP</td>
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<tr>
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<td>Senator the Hon James McGrath</td>
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<tr>
<td><strong>Minister for the Environment</strong></td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td><strong>Minister for Health</strong></td>
<td>The Hon Sussan Ley MP</td>
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<tr>
<td><strong>Minister for Aged Care</strong></td>
<td>The Hon Sussan Ley MP</td>
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<tr>
<td>Title</td>
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<tr>
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<td>The Hon Ken Wyatt AM MP</td>
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<tr>
<td>Minister for Defence</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>The Hon Dan Tehan MP</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>The Hon Dan Tehan MP</td>
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<td>The Hon Dan Tehan MP</td>
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<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon Michael McCormack MP</td>
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<td>Senator the Hon Mitch Fifield</td>
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<td>Senator the Hon Mitch Fifield</td>
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<td>Minister for Employment</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Minister for Social Services</td>
<td>The Hon Christian Porter MP</td>
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<tr>
<td>Minister for Human Services</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Assistant Minister for Disability Services</td>
<td>The Hon Jane Prentice MP</td>
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<td>Assistant Minister for Multicultural Affairs</td>
<td>The Hon Craig Laundy MP</td>
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<tr>
<td>Minister for Tourism and International Education</td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952.*
<table>
<thead>
<tr>
<th>TITLE</th>
<th>SHADOW MINISTER</th>
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<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon. Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon. Kim Carr</td>
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<tr>
<td>Shadow Minister Assisting the Leader on State and Territory Relations</td>
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* Senator Katy Gallagher’s appointment to the Shadow Ministry is effective from 1 November 2015. Senator the Hon. Jan McLucas will serve as Shadow Minister for Housing and Homelessness and Shadow Minister for Mental Health, and represent the Shadow Minister for Northern Australia, the Shadow Minister for Health, the Shadow Assistant Minister for Health, the Shadow Minister for Sport and the Shadow Minister for Indigenous Affairs in the Senate until 31 October 2015.
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Tuesday, 1 March 2016

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

DOCUMENTS
Tabling

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

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

COMMITTEES

Foreign Affairs, Defence and Trade Legislation Committee
Parliamentary Joint Committee on Intelligence and Security
National Broadband Network Select Committee
Joint Standing Committee on National Capital and External Territories
Joint Statutory Committee on Public Works

Meeting

The Clerk: Proposals to meet have been lodged as follows: Foreign Affairs, Defence and Trade Legislation Committee to meet on 3 March 2016; Parliamentary Joint Committee on Intelligence and Security to meet on 3 March 2016; Select Committee on the National Broadband Network to meet on 15 March 2016; Joint Standing Committee on the National Capital and External Territories to meet today; and Parliamentary Standing Committee on Public Works to meet on 3 March 2016.

BILLS
Commonwealth Electoral Amendment Bill 2016

First Reading

Debate resumed on the motion:

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

Senator GALLAGHER (Australian Capital Territory) (12:32): I will start off where I finished last night, talking about some of the concerns around the process being used to ram this legislation through. We saw the first result of the way this legislation has been dealt with when, the day after introducing the bill to the House, the government was forced to essentially rewrite the bill and move a number of amendments to fix a mistake. Only having been in the Senate for a year, I am not sure how standard the practice is to move amendments quite so quickly after a bill is introduced—that is, the next day—as the bill is being debated. From my understanding, it was that the government drafters must have read that ABC's Antony Green's blog where these errors were pointed out.

One of the amendments was to ensure that the votes were able to be counted. That is the result of the speed with which this electoral bill has been brought forward and the mistakes
that have been made were clear on day one. The scrutiny of this bill has now been completed through the 4½-hour hearing this morning. I am not sure whether the committee is going to have the time to work through all of the submissions. I have seen a number that raise concerns and that identify other mistakes in this bill.

It seems incredible to me that we are in this situation where we are dealing with significant reform, the most major reform in 30 years, and the way the legislation was concocted. It was written with Senator Di Natale, Senator Xenophon and the Prime Minister sitting together, working out a deal that would in the long term be beneficial for all of them. The scrutiny allowed has been so limited.

We heard concerns from witnesses during the hearing of the Joint Standing Committee on Electoral Matters this morning. I have not caught all of today's hearings but I did see a number of people come before the committee this morning and raise concerns. I did manage to hear some of Mr Malcolm Mackerras's evidence before the committee. He raised some substantial concerns. His language was very strong in the evidence that he gave. He had concerns that predated this bill but he also had concerns on this bill. I am not an expert so I do not understand whether there is any merit to Mr Mackerras's arguments but the whole point of having a committee process is to be able to draw those out, consider them, take advice from others and work out whether or not it will have the impact that Mr Mackerras is alleging it will.

I have two major concerns that I will cover off today. The first one is around the process and the urgency. What is it that the Greens political party get out of this in the longer term? It looks to me like the short-term result of this will be the potential loss of a couple of senators. Why the sham process? Who does that benefit? Is it going to benefit democracy in the long run?

Will it ensure that Australians who vote in the upcoming election—whether it be a double dissolution election or a general election—will actually have their vote counted? Or will it mean that there will be millions of Australians who cast a vote and are going to be disenfranchised by the system that is being put in place in this deal by the coalition and the Greens? Those are the two reasons I do not support the way that this electoral bill has been dealt with. It is why the Labor party will continue to argue against it as it proceeds through the Senate.

The legislation is worthy of much greater scrutiny; a longer time frame and extended reporting date; the ability for people who want to provide submissions to provide those submissions; and for individuals or other political parties that might want to contest the next election to be given the opportunity and the time to appear and give evidence on their positions to the joint standing committee. When that joint standing committee process has had a reasonable time to consider the bill, to consult and to consider their report, that report should then be tabled and again people will have time to respond. That is the normal process that we have in this place for dealing with bills. This bill is significant and it is worthy of that level of scrutiny.

Senator JACINTA COLLINS (Victoria) (12:38): I rise to speak on the Commonwealth Electoral Amendment Bill 2016. I am pleased to be able to follow Senator Gallagher, who was reminding us of several of the points that were raised last night in this debate. Of course, since that time we have also had the farcical meeting of the JSCEM committee. I will have an
opportunities to reflect on some of those processes. I am pleased, Mr President, that you are in
the chair at the moment and that Senator Cormann is representing the government in the
chamber at the moment, because I have very serious concerns about how this legislation has
progressed. That is not just as the senator representing the Special Minister of State in the
Senate but also as an individual senator.

Senator Cormann: That would be Gary Gray, who actually agrees with this!

The PRESIDENT: Order on my right!

Senator Cormann: He does!

Senator JACINTA COLLINS: Senator Cormann likes to say that Mr Gray agrees with
this.

Senator Cormann: He does!

Senator JACINTA COLLINS: What we all agree with, Senator Cormann, is that this is a
matter that needs to be addressed carefully and with due consideration. However, what is
occurring here is a railroad. It is a railroad of a deal that has been done between—

Senator Cormann: Mr President, I rise on a point of order. Senator Collins is misleading
the chamber.

The PRESIDENT: There is no point of order. Senator Cormann is misleading the chamber,
because Mr Gray actually said that the
government should act now, without delay.

The PRESIDENT: There is no point of order, Senator Cormann. Senator Collins has the
call.

Senator JACINTA COLLINS: Thank you, Mr President. You are right; there is no point
of order. But, if Senator Cormann is getting excited about representations of Mr Gray, let him
get excited about the nature of the hearings today. In 20 years in the Senate, I have never
experienced a committee deliberation such as that which went before JSCEM today.

I hope that Senator Cormann is aware now that on several occasions senators have sought
to have the relevant department appear and explain the decisions made in this bill. It is such a
farce that, when we had the AEC this morning, they told us we needed to talk to the
Department of Finance. The AEC told us, 'Senators need to talk to the Department of
Finance.' But the committee that you control—the numbers that the government and the
Greens control on the electoral matters committee—have now blocked that three times.
Anyone listening to this debate needs to understand that this behaviour is unprecedented. Mr
President, I am glad that you are here, because you can hear this. When a Senate committee
looks at a matter, particularly a matter of legislation, the most routine element of any Senate
inquiry is to have the department appear and explain to senators the thinking of the
government on why it has proceeded in a particular way.

Given the very short time frame we had to look at submissions to this inquiry, I looked at
roughly the first 16 that came in. A fair proportion of them said that the explanatory
memorandum does not even explain why the government has taken the particular path it has
taken. Let's understand what that path is, because Senator Cormann likes to misrepresent Mr
Gray and others, and indeed the Joint Select Committee on Electoral Matters. The
government, the Greens and Senator Xenophon have chosen a path which is different to the
path that was recommended by consensus by this committee. They have failed to explain that
difference in the explanatory memorandum and they have blocked any attempt by senators to question the government on why they have chosen this particular path. It has been blocked three times now.

This is probably the best point in this discussion for me to highlight: I will move an amendment to this motion. That amendment is designed to ensure that we will have more time to deal with this matter more carefully. Any student of politics would understand that significant electoral reform—the most significant in 30 years—should involve appropriate scrutiny and consideration. That is what is not happening here.

Malcolm Turnbull might be keen to try to line up the ducks to rush to a double dissolution election, but that does not justify and it does not explain the lack of scrutiny—essentially, the violation of the rights of any senator in this chamber to look at a matter appropriately before we vote on it. As I said, in 20 years I have never seen a committee inquiry like this. Indeed, I understand that even when the Howard government had control in the Senate they did not deny a department providing evidence. This is the path that Senator Cormann does not understand. Maybe there is a bit of limitation in his experience as a senator when it comes to committee work in this place. For the government, through its numbers on this committee, to block the department from even appearing is farcical. It exposes what is really going on. Fortunately, Senator Cormann, either your stupidity or that of the chair of this committee or the other senators of this committee has exposed what is really happening here.

That is because the Commonwealth Electoral Amendment Bill fails any sensible test of policymaking or indeed of parliamentary scrutiny. As you have seen already by Senator Cormann's conduct so far, the government likes to pretend that this legislation implements the recommendations of the Joint Standing Committee on Electoral Matters in its interim report on the conduct of the 2013 federal election, which indeed focused on Senate voting. But this is not correct. Any cursory glance at the now more than 106 submissions in this matter highlights that this is not correct.

It also highlights my other point, which is that there has been no explanation for why this is so. The only thing that we can do here is surmise about what went on in the back room between the government, or the coalition, the Greens and Senator Xenophon. It is no wonder that a fair proportion—and I will come to this point if I have time later—of people watching this are asking: why have the Greens been so naive here? What is occurring with this bill with the complicity of the Greens is worse than anything that happened when John Howard had control of the Senate. Can they not see where this is taking us? It seems not.

The Liberal Party and fellow travellers such as Senator Xenophon and Senator Di Natale like to say that their deal implements the substance of the JSCEM recommendations. I have even heard them say that it implements 85 per cent of the recommendations.

**Senator Cormann:** Gary Gray said that.

**Senator JACINTA COLLINS:** Eighty-five per cent, he claims, are represented—and once again he is trying to hide behind Gary Gray. Now, you might try this sort of glib language, Senator Cormann, but it does not deny the facts. The facts are what we have had before us on this committee. The facts are that you will not even let the Department of Finance appear. It makes your arguments look ludicrous. The facts are that the most basic thing with a bill, which is its explanatory memorandum, does not explain why you have
chosen not to fully implement those recommendations. Add to that that you also have commentators watching this debate and saying: 'We predict ultimately they will. We suspect that this was part of their original ambit, that the Greens naively just accepted it and that eventually the crossbenchers will force them to make those further concessions.' But on top of that the other witnesses today were saying, 'Oh, we just don't think they really know what they're doing here.'

Let me spend a few minutes highlighting some of the points that were made in today's hearing. I am sure we will get an opportunity to go back to them in the further debates on this matter. Let us have a look at what was highlighted in today's hearing in the very, very limited time available and, as I said, with the inability to even talk to the Department of Finance.

The AEC in their appearance confirmed that they require a minimum of three months to implement the changes. They need three months—and let me confirm this for every senator—after the bill passes, so a further three months. This is why the government were criticised, not by the AEC here but by other witnesses before the inquiry, for doing nothing for two years. They failed to act for two years. They were criticised for pushing through reform now in the way that they are currently proceeding. They were criticised for cherry picking recommendations which undermine their argument for urgently passing the legislation. They were criticised for not implementing the model that was recommended by JSCEM. Antony Green, for instance, confirmed that under this model the Greens would have lost a seat in South Australia at the last election and that the coalition winning a majority of seats would be more likely in a double dissolution.

Again, we are back to: why are we having this rush, and why is the Prime Minister being so reckless in proceeding this way? I know I have this debate from time to time with other senators about how reckless Mr Turnbull is, and I often like to remind senators of the experience we had with the Prime Minister when he was previously the Leader of the Opposition and his behaviour with Mr Godwin Grech. I had a fair mind at the start of his prime ministership to accept that he might have learnt through that process, but the way he is recklessly proceeding here highlights that he has not learnt. He has not learnt to allow appropriate scrutiny and to run his case for his policies. Instead, we see the government hiding.

We hear concerns that the legislation the government wants to put through this chamber will maximise the number of senators elected by the major parties, such as the Liberal Party, and established minor parties such as the Greens and the Nick Xenophon team. We hear that it will exhaust preferences early so Independents and so-called microparties are deprived of votes. Its object is to prevent new players from entering the Senate, thereby entrenching the electoral dominance of the existing players. The principal beneficiary of this new voting system will be the Liberal Party, which traditionally receives the highest primary vote, bolstered by its coalition partners, the Nationals.

The Greens need to think very carefully about what this means for the composition of the Senate, particularly over a couple of electoral cycles. The only reason the Liberal Party are pushing this bill is that they see it as the best chance of translating their high primary vote into lasting political dominance in the Senate and, over time, a Senate majority in their own right. Let me say that again to the Greens: think very carefully about what that will mean. We often hear from the Greens that they are concerned about gagging debate. I am pleased to see that
the government has not been able to proceed this week in the way it originally highlighted, because it does give me an opportunity, again through the amendment I will move, to ensure that there is more time to carefully consider these matters.

As I indicated earlier, the last time the government had a Senate majority we ended up with Work Choices. Even back then the deals that were done about proper legislative scrutiny were more generous than what has happened with this electoral matters committee. Even the committee consideration of the Work Choices legislation—and we criticised that at the time—had the relevant department appear. We were critical about the amount of time involved for what was very complex, detailed and lengthy legislation but we at least had an opportunity to question the relevant department.

On this occasion the committee has been nobbled in a way I have never seen before. Indeed, if my amendment today succeeds, we will have an opportunity to recall the committee, call the department before us and have the department explain to us the government's thinking behind the way it has chosen to proceed with this bill and to provide more information than what was put by the government in the explanatory memorandum, which left unexplained the important issues that people who made submissions to our inquiry have already highlighted.

It was impossible to establish an inquiry without the support of the coalition when the government had control of the Senate after the 2004 election. The government could pass draconian legislation and changes through regulation and the Senate had no ability to exercise its powers of disallowance. Do you want that? I say to Greens senators: do you want to go back to the budget before last, because that is what this legislation will deliver? It will deliver an environment where the Senate will have no control in the long term to be a brake on government excess and to ensure that draconian legislation does not simply get a quick tick—in this case, we are not even able to scrutinise the department—and measures, such as the budget before last, are allowed to succeed.

I would be surprised if that were really what the Greens want, but equally I have been surprised at their cooperation with the government on how this committee would proceed. I am glad Senator Rhiannon is here because I want to run through the detail of this. Mr President, perhaps the detail will assist your understanding here as well. When we made recommendations about having an inquiry the Labor Party, through the scrutiny of bills process, indicated that we should call the department. We were overruled. We then in the committee sought to ensure that we could call the department. The committee voted us down.

The Greens were originally going to appear on today's program but then that changed, so I attended the next meeting when we were talking about the program. At that next meeting the chair was not even going to deal with the program. When I highlighted the point that the program was changing since now the Greens were not appearing and there would be more time so we could ask the department to appear, again I was simply ignored. Mr President, I know that you have worked in the role of Deputy President and Chairman of Committees and I know that you understand that this is not the way that committees should proceed, but this is how my rights as an individual senator and indeed as the opposition spokesperson on this matter have been dealt with on this occasion. I believe it is appalling. That is why I will be moving the amendment that has been circulated in my name to add at the end of the motion:

… "but, may not be further proceeded with until 12 May 2016."
In that motion I make the points I have already highlighted. There has not been proper consideration of this bill. We have the farcical example of the AEC saying to us, 'Senators, you would need to ask the department.' They came to us today unable to provide during this morning's hearing any detail about the government's rationale for proceeding the way they have with this bill. They were not able to apprise us as to why the explanatory memorandum did not explain the approach the government has taken in relation to below-the-line voting. They were not able to assist us to assess the submissions made to us by witnesses or people who provided submissions, highlighting that no one can find that rationale. All they can find is glib statements by Senator Cormann—'This is what Gary Gray agreed to.' I am sorry, Senator Cormann, but the Labor Party have processes that determine what our party position is, and I represent that party position here. No glib references such as that can be used to apologise for your failure to make the policy case in relation to this legislation. This is, as was suggested before us today by one of the witnesses, a dirty deal. What we have before us is simply a dirty deal.

Let me see what else was said today. George Williams suggested that this is simply 'incoherent'. It is incoherent because the government are providing little information and no proper scrutiny. They should be ashamed of themselves. I move:

At the end of the motion, add, "but, may not be further proceeded with until 12 May 2016."

Senator MADIGAN (Victoria) (12:59): I rise today to speak to the Commonwealth Electoral Amendment Bill 2016. In the public debate what has been put forward by the opposition—

The PRESIDENT: Senator Madigan, I point out that we are actually debating that this bill may now proceed without formalities—and you have used the correct title of the bill—and also now the amendment moved by Senator Collins to that motion. I am sure your subject material will be correct, but I want to make sure you are debating the right matter.

Senator MADIGAN: Following on, with the rhetoric, many of the points that Senator Collins made are quite pertinent to the subject. But last night, on the ABC's Q&A, the former Minister for Small Business in the government, Mr Billson, said: 'To see a person elected to the Australian Senate with 1,500 first preference votes that wouldn't even get you elected in a ward election in a local council, and then hold up the trajectory of the nation, make it impossible to hold governments to account for their promises and the commitments and the outcomes they deliver to our country—I think that's not good. Having people know where their vote's going—I think that is good. So I think there's a strong case for the reforms that are being put to the parliament.' I have listened to the government repeat this time and time again, and we have often heard references made to my fellow crossbench senators and Senator Muir in particular, who at the 2013 election received 479 first preference votes below the line.

But then you go and have a look at the frontbench of the government, and I go to look at how many first preference votes Senator Cash received below the line in the 2013 election, and Senator Cash—the Minister for Women, Minister Assisting the Prime Minister for the Public Service and Minister for Employment—received 349 first preference votes below the line. Then we have Senator Edwards, who received 667 first preference votes below the line. Senator Fawcett received 1,602 first preference votes below the line. And, of course, Senator Lambie received 1,501 first preference votes below the line.
Of course, it is true that many Australians vote above the line, and they vote according to the voting ticket that their party puts forward, whether it be the government—the Liberal Party and the National Party—the ALP, the Greens or PUP—whoever. So the fact of the matter is that the majority of people put 1 above the line and they say to their party, 'You distribute our vote according to how you, the party, see it.' If any member of the public cares to go to the Australian Electoral Commission website prior to the election, they can look up how the party is directing their preferences.

But, of course, they do not want the public to actually know. This bill is about self-interest and it is about political opportunism. I am all for transparency so the public know where their votes are going, and I support that. I support educating the public to care how they vote and who they vote for, to actually look beyond the tag of whether you are the ALP, the Liberals, the Nationals or the Nick Xenophon party, and to look at the individual who you are voting for to see if their beliefs and their ethics conform with yours—it might be 70 per cent; it might be 100 per cent; it might be 65 per cent—so people understand how their vote works, because there is an incredible amount of ignorance, unfortunately, in the general community about how your votes work.

It is an interesting position that we have here. On the Joint Standing Committee on Electoral Matters are the government, the ALP and the Greens. There are no voting members on that committee other than them. That is a fact. Predominantly, this committee is a House of Representatives committee. In the past, on the public record, former prime ministers of our nation have shown an utter contempt for the Senate and the way the Senate works. Unless the Senate votes the way a government of the day wants it to vote, some people refer to the Senate as swill. So I would say to members of the government in the Senate: be careful what you wish for.

Often we hear in this place about legislation being rammed through this place, and the fact of the matter is that, in the previous Rudd-Gillard governments, the ALP-Greens coalition, for want of a better word, rammed through legislation. At that time, the now government—the Liberal-National party—complained profusely about that. It was an abuse of the Senate process, with lack of scrutiny and lack of process. Now, when the boot is on the other foot, we hear it from the now opposition, the then government.

Some people suggest that it is an easy thing to get into the Senate by gaming it. The fact of the matter is that it is a vertical ski slope. For the incumbents—the cabal, as some people would say—it is all in their favour. The fact of the matter is that in 2013 there was $58,076,456 paid to political parties represented in the House of Representatives and the Senate. To receive funding from the public purse, you have to get four per cent or more of the vote. That already is a huge advantage to incumbency. But we do not hear about that.

So I would suggest to the government: the argument that you use about how many votes people got below the line does not cut the mustard, let alone when you look at how, with the retirement or resignation of people from the Senate, we find people who did not even run in the 2010 or 2013 election and who now occupy seats in this Senate. They never put their name on a ballot paper, but now they are here. Yet we hear arguments about what the people want. They often do not even go to the person who actually ran in those two previous elections and was the next person on the ticket, whether it was the government ticket—the
Liberals or the Nationals—or the ALP or the Greens ticket. There are many people who end up occupying seats in this place who have never faced an election and never faced the people.

I say to Senator Dastyari: you did not run, and you will admit that. You were picked by the party to be here. I am not insinuating, Senator Dastyari, that you should not be here. That is the system that the incumbent government has made in this place. Here we are, 30 years on, and one of the biggest electoral changes that the nation has seen in three decades is being rushed through. You would want to be careful what you wish for here. If we accept the government's argument about how many votes people get below the line, it should ring alarm bells for the government. If that is going to be the yardstick, have a look at how many below-the-line first preference votes Senator Di Natale got. One does not have to look too far. At the 2010 election, he got 34,208 votes below the line, with the number 1 in the box next to Senator Di Natale's name. Then look at one of the better performers for the coalition: Senator Fierravanti-Wells. At the 2010 election, Senator Fierravanti-Wells got 12,194 first preference votes below the line. I have to say that she is, by far, one of the better performers in the coalition. Look at how many votes Senator Cormann, who has carriage of this bill, got below the line. He got 5,215 votes in the 2010 election—less than one-sixth of the votes that Senator Di Natale got. I say to the government: the argument that you are putting forward about below-the-line votes does not cut the mustard. In the paper, you attack other people for their low vote. You want to take another look. Senator Bernardi, who is often attacked in this place for his views and for how outspoken he is, got 5,554 votes at the last election, in 2013. Senator Birmingham, who is the Minister for Education and Training, got 1,013 votes. He got fewer votes than I did, and yet he is a minister. But I am not calling into question the fact that he can be a minister.

There is a narrative about there being a problem. Should we have more scrutiny? Yes, we should have more scrutiny. But the government wants to think about what it is doing here. I caution the government: it is not going to ultimately turn out the way you think. You are playing into the hands of the Greens and other people. One thing the ALP has always said in the House of Representatives is 'one vote, one value'. I refer you to the Constitution, which talks about senators being elected by the people to the Senate to represent their states. That is what it says. That is not what I think it says; that is what it actually says. But, in our current system, if you vote 1 above the line for your first preference, you allocate how your vote is going to be distributed to that party above the line, whether it is the ALP, the government, the Greens, PUP, an Independent, a small or minor party or whoever. If you vote 1 above the line, they all distribute your vote according to how they see fit. That is a fact.

For 32 years—I think it was in 1984 that the system came into play—all the parties were part of putting this current system in place. I say to all of you in this place: for many years, this system has served you. Prior to an election, you all go around to small and minor parties, Independents and any other person who has nominated to run for the Senate, put up their $2,000 nomination fee—or whatever it is—and met all the requirements of the AEC. The fact of the matter is they have not broken the law. There are backroom deals and preference deals done by all parties and individuals represented in this place in some way, shape or form. The fact of the matter is that the people who choose not to vote for the ALP, the Greens, the Nationals or the Liberals are entitled to have a voice. They are entitled to have their vote represented. If somebody chooses to say, 'I agree with one individual more than with another
individual. I'm going to give my preferences to that person,' then that is their right to do so. Of people who vote in the Senate, a large proportion chooses to vote below the line. The Liberals might have their first candidate in Victoria being whomever it may be, but the voter might say: 'Well, I don't particularly like that bloke or that woman. I'm going for the person who is No. 6 on the Liberal list, and then I'm going to go to the candidate who's No. 2 on the ALP list, because I concur with their beliefs more than I do with the other five on the Liberal ticket,' or vice versa. It is people's right to do that. The vast majority of Australians just give it to the party to decide.

But to tell me that people care what the voting public thinks is disingenuous. The fact of the matter is that this is purely about self-interest. It is purely about political opportunism. The selective moral outrage and the toxic sanctimony of the Greens on this issue is just breathtaking. The government have jumped into bed with them. Ultimately they will rue the day that they went along with this.

**Senator CAROL BROWN** (Tasmania) (13:15): I rise to speak on the motion and on the amendment put by my colleague Senator Collins regarding the Commonwealth Electoral Amendment Bill 2016. To say that the level of scrutiny that has been given to this bill is farcical is actually something of an understatement. I would like to say at the outset that I support and concur with the contribution by Senator Collins here today about the level of scrutiny and the farcical situation that has been undertaken by the Joint Standing Committee on Electoral Matters on this bill.

We had the inquiry—if you want to call it an inquiry—on this bill this morning. This morning's hearing was, as Senator Collins said, unlike any other inquiry that we have been involved in. We had the farcical situation where questions were put to the AEC that they were unable to answer. Their answer was, 'You need to talk to the department.' Senator Collins has already outlined to the Senate and those listening to this debate the debate the length to which Labor senators went to request the department—it was not an outrageous or unusual request—come to answer questions. But that request was shut down and, in many respects, not even responded to by the chair of the committee. Of course, the coalition and Greens members on the committee chose to not allow the department to come to answer very significant questions on this bill.

The other point that needs to be made on the inquiry that we just had is to do with questions that were taken on notice. Again, there was not even a procedure put in place by the chair of the committee as to when questions on notice should come back to the committee. Questions on notice are a normal process in Senate committees, both legislation and references committees. They are just part of the normal work of a committee. But at this inquiry there was not even an attempt to have questions on notice responded to. We have been told that we may get those responses in time for an 8 am meeting tomorrow to consider the draft report into this piece of legislation.

When Senator Collins talked about the need for greater scrutiny of this bill, she also meant actual scrutiny. It is not good enough to point to a JSCEM report on the 2013 election because what we have before us here is not what was recommended. It has cherry picked parts out of that report on the 2013 federal election. A deal has been done between the coalition and the Greens in this place on what they would like to see. It is not about allowing the Senate and the public to have a greater understanding of what is actually being put before us in this piece of
legislation. It is not about that. They can pretend it is about that, but the inquiry clearly showed, I believe, that that is not what it is about. They have cherry picked parts of it. They have put in a section about logos that was not even recommended in the JSCEM report. I do not know who brought that up. It might have been in a discussion between the Liberal Party secretariat, the National Party secretariat and the Prime Minister's office. That is in there, but it was not recommended. Even today when questions were asked about that, primarily by the coalition senators, there were not any details around how that might work. There was nothing at all. So this has been a complete subversion of the Senate process, and it undermines the role of the Senate in this place.

In recent months many of us on this side of the chamber have pointed out that changing the leader of the Liberal Party has actually changed nothing. The conservative and self-interested policies of the Abbott government continue under the Turnbull government. In contrast, we can look at the Australian Greens and see just how much can change with a change of leadership. It was a party that under former Senator Bob Brown and former Senator Milne on many occasions made grand speeches about the importance of Senate oversight and proper consideration. Now, under Senator Di Natale or, in this case, Senator Rhiannon, we know that the Australian Greens have no respect for the role of this place. They have no respect for the processes that we have.

What we are seeing now is a deal that has clearly been cooked up over months. It is not something that has been neatly settled in the last couple of weeks. Behind closed doors, with no transparency, it has been cooked up to benefit the Greens and the coalition. It is a deal that has been cooked up to subvert the Senate processes and give the Turnbull government the quick out it wants for a double dissolution election.

This is not about the need for urgent reform. If it were, the government would have brought a bill before this place sometime in the last two years. This is not about the procedures we have in this place. Make no mistake: this is not about reform or democracy. Ramming this bill through parliament is about political expediency. This is about what is politically convenient for the Liberals and the Greens. I would throw in the Nats, but I think they just go along with anything. It is most definitely not about the role of this place as a house of review.

The role of the Senate as house of review is to be able to go to the electorate and talk about legislation and to come back better informed, with amendments and with a government that is able to take them into account. None of that is happening here. This is just a directive from the Prime Minister's office which says, 'Clear the slate on Thursday night or Friday and get us out of here so that we can get ready for an election.'

These are not my words but rather the words of the former leader of the Australian Greens, Bob Brown. They are words he spoke in this place in defence of the Senate—words which have very real meaning in this place today. However, these words obviously do not have any meaning to the Australian Greens we now have under the leadership of Senator Di Natale and Senator Rhiannon. They have similarly forgotten the words of their last leader, former Senator Christine Milne, who said in this place:

The Australian people deserve a house of review. A house of review means appropriate scrutiny of legislation and appropriate scrutiny of governments. You achieve that through estimates committees, through Senate references committees and through Senate legislation committees.

Again, this is a lesson that has been lost on the Greens who now sit in this place.
Anyone who has been following this farce of a process would also know that the bill that was presented in the House of Representatives has already been amended by the government. So quick were they in their haste to get this dirty deal out of the back room and onto the table of the House of Representatives that they have already had to amend it. And it appears that the AEC, from what I can gather from their evidence, have not really had much to do with drafting this legislation. By the time the government ram it through the Senate here, who knows how much will have already been amended.

This is the problem. There has been no scrutiny and no transparency. There has been a deal cooked up by the coalition and the Greens and it is already starting to unravel by way of the fact that it needs amendments. This has not been done properly. There has been no scrutiny and there has been no regard whatsoever for the Australian community. The government have not gone out to talk about it in the community. The Greens have not gone out to talk about it. No-one has even bothered to put up a semblance of pretence that there is going to be proper scrutiny.

As I have said a number of times here, because it needs to be said often and loudly, the Greens have stitched up a deal with the Liberal government to avoid proper scrutiny of the most significant changes to our democratic process in 30 years. This is not about what is best for our democracy. In fact, we cannot even say what is best for our democracy or what the true impact of the proposal being brought before us is, because the government refuse to allow us the time to scrutinise this proposed legislation. They have done the deal with the Greens and Senator Xenophon. It is a deal that will see this legislation rammed through this place with only a pretence of consideration by the Joint Standing Committee on Electoral Matters. That has played out. That is the reality. That is what we saw this morning.

Our colleagues in the other place were forced to vote on the bill before they even saw the outcome of the sham hearing of the Joint Standing Committee on Electoral Matters. They were not even allowed the time to read the joint standing committee report before they actually had to vote on this proposed legislation—which, as I have said, is the most significant change to our democratic process in over 30 years. The government and the Greens have seen fit to give the appearance of allowing senators an opportunity to consider the bill and the evidence of the hearing that was held this morning. It was, I think, 3½ hours of a farcical meeting with rotating questions. It was a hearing at which members of the committee had just 3½ hours. The most important part of what happened this morning is the fact that the government—and the committee chair, along with the other coalition and Greens members—would not allow the appropriate departments to come and give evidence. Those questions that committee members wanted to ask were not able to be asked. Some of the questions were asked of the AEC, as I have said, but they did not have the information to be able to answer those questions. They referred them and told us that it would be a matter for the finance committee.

If we hear the minister that is responsible for this legislation get up to say, 'We have had the JSCEM report of the inquiry into the conduct of the 2013 election and we have had an inquiry into the legislation before us now,' it is just a farce. People who are listening to this debate should know that it is a complete and utter farce and that the process the government has set out has been explicitly designed to control the debate, to shut down the debate and to ensure scrutiny is at a minimum.
This bill cherry picks elements of the recommendations made in the JSCEM report of the inquiry into the conduct of the 2013 election. But we are not going to have an opportunity to really examine the implications of this bill. If we are all honest with ourselves, we cannot say that we are surprised by the actions of the government. In the last two years, we have seen their complete contempt for the Senate. This government have shown themselves to be completely unable to manage their legislative agenda. They have shown themselves to be completely unable to prosecute an argument for the changes they have sought to make—which is no shock, given the changes they have sought. They have shown themselves as having complete contempt for the Senate, its role and its procedures.

For a moment, I was surprised by the Greens—and Senator Xenophon—being complicit in this, until I remembered the Greens track record when it comes to negotiating with the government. And I remembered that, to put it simply, the Greens are not very good at making deals: their bargaining powers have already been found wanting. We saw this when they made a deal with the government on multinational tax transparency. We had the numbers on this issue—we could have got a better deal on tax transparency—but the Greens folded. They folded and let 500 companies off the hook. And yet again we have seen the Greens roll over to have their tummies scratched by the Liberal government.

I am sure many members of the Australian Greens are wondering when their party became opposed to open and transparent debate. Their own members would be asking when this became a bad thing. Given the Greens record under the leadership of Senator Di Natale, you would think that they would be getting better at cutting deals with the Liberal government. It is something we have seen them doing a lot. As I just outlined, the Greens voted with the government to let big companies keep secret how much tax they pay. They voted to defeat Labor amendments requiring large private companies making more than $100 million in profits to publicly disclose how much tax they pay. But this is just the start.

The Greens also voted with the government in the Senate to cut age pensions by $2.4 billion. They actually voted to pass Mr Abbott's and Mr Hockey's budget measures to cut the age pension to 330,000 elderly Australians. Senator Di Natale's Greens voted with the Liberals to erect new barriers against investment by reducing Foreign Investment Review Board screening thresholds for proposed investments in agriculture and agribusiness. They voted for legislation allowing the health minister to make multimillion dollar medical research funding decisions without following the recommendations of the independent expert advisory body. And the list goes on. Now the Greens have done a dud deal, behind closed doors, with the government to change the Senate voting system. It is a deal that will disenfranchise voters. Some people have estimated that three million Australians vote for parties other than the coalition, Labor and the Greens. This deal is all to help the government call an early double dissolution election.

All of this is not to say that there are not issues with our current electoral system, issues that do need to be addressed. But they should not be addressed in this way, through a piece of legislation that has been rammed through the House of Representatives, that has been rammed through a quick and dirty inquiry this morning, prior to the JSCEM delivering its report, only to see it come into the Senate to again be rammed through. There is no transparency; there is
no concern about going out to the community to ask their view. This is about the Greens and
the government doing a deal with no concern or care for Australian democracy.

Senator O'NEILL (New South Wales) (13:35): I too rise to put on the record my remarks
on what is, in my view, a mistitled piece of legislation before the chamber this morning—the
Commonwealth Electoral Amendment Bill 2016—which would be better called the 'dirty deal
between the Liberals and the Greens party bill', because that is what is really being discussed
here this morning.

For those in this country who live great lives and do not pay 100 per cent attention to the
way the Senate works and the way Senate inquiries work, it is important to put some context
around what is going on here. To give an example, one of the committees I sit on is the
Parliamentary Joint Committee on Corporations and Financial Services. We are inquiring into
loans that have been impaired, which means that the banks have taken over loans and people
have lost their property. That is a very important issue, and we are taking it very seriously.
We have had to my knowledge at least six or seven—it is probably more—whole-day
hearings that have been held around the country to give Australians the chance to put on the
record important matters that relate to loans and banks. That is an important matter but, by
comparison to the matter that is being pushed through the Senate right now, that simply pales
into insignificance. What is being pushed through this chamber is a deal between the Greens
and the Liberals—and it is epitomised by a deep and meaningful conversation going on
between the Liberal Minister for Finance and the person who is leading the discussion for the
Greens, Senator Rhiannon. The dealing is going on as we speak.

What I really want people to understand is that the reality of that sort of conversation that is
going on means that there is going to be no set of six or 10 hearings around this matter which
is, as Senator Brown has said, the biggest change that has happened to the way Australians
vote in 30 years. Let us get some perspective here: the biggest change in 30 years about the
way Australians are going to vote without any proper inquiry or proper process—it is not
even good enough to get a hearing in every state or capital city. Let's just push it through and
have a pretend game of an inquiry—that is what has happened today in this building. Today
democracy got dudged in this building by the coalition government in cahoots with the
Greens—they did a deal and they held the most embarrassing sham of an inquiry this morning.
On that committee Labor was represented very ably by Senator Conroy, Senator
Jacinta Collins and Senator Brown, but they were subjected to the chairing of Mr Coleman. A
number members from the Liberals and Greens were also there, as were a few independents
who tried to put their views, but the committee was dominated by Liberals and Greens. Mr
Coleman as chair used all his excellent skills in trying to keep the debate civil, but the reality
was that it started at 8.15 and it finished at 12 o'clock.

Senator Rhiannon: Your people ran out of questions!

Senator O'NEILL: For most people working around the country that would not even
constitute half a day's good work. These guys have decided in the space of less than four
hours that they had enough evidence to push through this shameful deal. That is what they
have done. It is a disgrace; it is a disgrace that it has happened in this country; it is a disgrace
it has happened in this building; and it is a disgrace that they think that sham of performance
this morning will constitute anything other than the abuse of the Senate's authority in a most
shameful way. It is contumacious of a proper, robust and transparent inquiry into this most significant piece of legislation.

It is not only the Labor Party which should be upset about this; experts who have long-held and critical views on these matters are absolutely outraged by what is being attempted here. I was very honoured to meet Malcolm Mackerras. I only joined the Labor Party 19 years ago, when I was pregnant with my third child and I was a teacher; I was not a political staffer and I did not know until I got here that it was Malcolm Mackerras who created the horseshoe shaped graph of seats. This is what Malcolm Mackerras, who has had a long and distinguished career as a psephologist, had to say: 'It is not about fairness what is going on here. It is about the reshaping of our party system. South Australia is to have a four-party system, Liberal on the right, Xenophon in the centre and Labor and Greens on the left. The rest of Australia is to have a three-party system—coalition, Labor and Greens. There will be no independent senators, unless Jacqui Lambie can get a short-term at a 2016 double dissolution election. There will be only one benefit for the voters: the ballot paper will be smaller.' That is what Mr Mackerras said.

The Greens are always on about the environment and perhaps their great political goal is to shrink the voting paper for the Senate. They have become the Green political party. Whatever the perception might be out there that the Greens are the cuddly, generous ones, this deal absolutely seals forever that possible view of the world. The Greens are a political party who are seeking to advantage themselves in the most shameful way through what they are undertaking right here in this chamber. They have the hide to call it reform. 'Reform'—there is an abuse of a word if ever there was one in this context. Unlike the Greens and the Liberals, the Labor Party does not believe that putting a sticker that reads 'Reform' on a piece of legislation actually constitutes reform. It is deeply concerning to see the Liberals and the Greens announce a deal that will favour the Green politicians and Liberal politicians, and that is not in the interests of ordinary Australians.

Twenty-five per cent of Australians voted—not for Labor, not for Greens, not for the Liberal Party, not for the national party—for those ordinary Australians who we see here in this chamber. These are people who have been maligned and who have had to suffer the slings and arrows of considerable contempt on their arrival into this place. I think of each one of those senators as valued colleagues who have a right to be here. It is not that I agree with their philosophy or their views on many issues, but they got here by being elected by a system that enabled a range of different views to come into this place. I note the entry into this chamber of Senator Bob Day. Senator Day has not voted with Labor on many occasions, but I do appreciate his support for a particular motion that I put forward to call the government towards some transparency in a deal they did with the ATO in Gosford. I acknowledge that and thank Senator Day for his support. If we counted his votes, I would say he has voted with the Liberal Party an awful lot more often than he has voted with the Labor Party. But he got here legitimately. He got here in a system that this government is seeking to reform, to change in a most significant way after 30 years—and they want to change it without proper scrutiny, without proper care for the impacts, without careful consideration of unintended consequences. They just want to ram it through.

It is true that more than three million Australians exercised their vote by voting for a party other than one of the major parties. Three million people chose candidates carefully—or
perhaps without too much care, but of course in the case of Senator Day he is saying it was a very careful choice—and voted for candidates from other than the main parties. It hardly seems fair, when we have that result that indicates what Australians think at this time, that this piece of legislation is being pushed through. Certainly I do not think we can call it reform if you leave out three million people whose intentions were pretty clear, if you construct a way of voting that excludes them from revealing that perspective once again.

Imagine for a minute if the Liberals had with Tony Abbott what they are seeking now with Malcolm Turnbull. This Senate would have been unable to prevent the worst excesses of a government that will go down in history as a shameful government that attacked very fundamental elements of Australia's health and education systems. If the Independents had not been elected we would by now have had our students in tertiary institutions paying $100,000 for a degree. We would have seen the cuts that they had tried to inflict on Medicare come into being and there would be a $7 co-payment. I notice there is a family sitting in the gallery. I am sure that mums and dads out there, like me, with a few children, find that when you get one child with an ear infection you get three children with an ear infection. When you need to get your child to the doctor to prevent illness or complications—and ear infections can turn into deafness—you need to take your Medicare card and know that you are going to get the service that you want, not take your credit card and hope to god you can afford to pay for the care you need for your child.

That is what would have been the reality in Australia today if the people opposite had got their way and got their bill through the Senate. But they did not, because Labor stood firm against it and, in a moment of conscience, the Greens came with us some of the time and also there were the Independents, who saw the unfairness of this government particularly in the 2014 budget. They stood up and they were counted. No amount of wiping them off the ballot paper is going to undo the good work that this Senate did in preventing Mr Abbott from doing what he wanted to do to the fabric of our society. If what they are doing now had already been achieved, we would have seen further cuts to family payments. Reform is important but reform that entrenches the right wing of the Liberal Party and reform that entrenches control of the balance of power in the Greens party, who want to legalise ice—that is one of their policies—is not in the interests of the ordinary people of this country. This bill was brought into the parliament by the Greens to reflect the deal that they have done with the Liberals. It does not even reflect the report of the Joint Standing Committee on Electoral Matters. If it was in any way significantly the same as that, it might have some validity, but they have ignored that and they have just come up with their own little way of maximising the vote for themselves. It is a greedy power grab.

What we are seeing is a very concerning push for this big change—the biggest since 1984—where people will be encouraged to vote one to six across the top of the ballot paper and the government will be able to enact this very promptly and then get a double dissolution. Labor's concern arising from that and other changes—Senator Dastyari made this point very clearly as early as last week—is that one of the flow-on effects is that there is an informal vote likely when you make this sort of change. We are changing something for an entire country; we are changing what people do when they go in to vote. And we are doing this in the blink of an eye, or as quickly as a dirty deal signed in blood between the Greens and the Liberal government can be delivered. They are seeking this corruption of Australia's
democratic processes as fast as possible. It is easy to be sceptical when the Liberals and the Greens hope that this produces more senators of their persuasion.

It is also very interesting that the Greens party have decided that they are the best minor party in the land—better than anybody else. The Greens have decided that they do not want anybody else to represent an alternative view in this chamber other than them. That is a pretty big call, and that is what the deal is about—it is about getting more Greens in this little bit over here so that they can have a say without all these separate voices, all these different voices that have characterised this Senate. The Greens should be out telling their supporters about what they have done here. They should be confessing to the fact that they have done a dirty deal and given the Liberal Party the permanent blocking vote of a majority in the Senate, that they have handed Australia over to the right wing without critique. As I have said, Senator Day has voted with the right wing more often than not but even he is disgusted by what they are attempting. What they are doing to our nation today shows breathtaking arrogance.

The Greens have sacrificed all principle and all policy to ensure that they and the Liberal Party together can block a progressive agenda in the future. You wonder how they could do this when you look at some of the things done not just by Mr Abbott but by Mr Turnbull. If they deliver this and he remains Prime Minister he will have control of the Senate and control of the House of Representatives. Who is this Mr Turnbull? Let us have a look.

Mr Turnbull and Julie Bishop conspired to assassinate the Prime Minister. After that departure of Mr Abbott, they delivered a profoundly dysfunctional and divided government. It is constantly contradicting itself, backflipping on one decision and the other. It is a disaster, frankly. We can see that. Mr Turnbull was once full of hope, but now all people hear is the waffle of his words. He backed in the cuts that they made to health and education when he was a cabinet minister. He backed them in again in his mini-budget in December. If he gets the chance, he will back them in again in another budget in May. If he gets elected, God help Australia because we will no longer have a Medicare card that works. We will no longer have schools where any child from any background can go and be assured they will get a good education, because this Senate, reconstructed by this deal between the Liberals and the Greens, will make that impossible to achieve. They will be able to do whatever they want. That is why Labor will fight so hard to give people an alternative. People know what Labor stands for. They can trust the party that instituted Medicare—the Labor Party—to fight to keep it.

It was Mr Turnbull, doing this deal with Ms Bishop, who created an incredible contrast to the way in which the government operated before. Mr Turnbull is a pretty good master of saying one thing and doing another. It is a mighty leap of faith to believe that he will not use the same hand-over-fist tactics while he is dealing with the Greens. On the environment, which is an issue that is supposedly close to the Greens' heart, as Leader of the Opposition Mr Turnbull said, 'I will not lead a party that is not as committed to effective action on climate change as I am.' Since becoming the Prime Minister, he has gone weak at the knees about climate change, and there is a very real risk that a re-elected coalition government will pass legislation previously rejected by the Senate, including Tony Abbott's bill abolishing the Clean Energy Finance Corporation. Remember that blue booklet that everybody got? I found
the Liberal Party's Real solutions for all Australians statement of 2013 littered everywhere when I was door-knocking in the lead-up to the last election. It said:
We will improve rewards from working, reduce cost-of-living pressure and help families with the real costs of raising children.
But their words mean nothing because people are not reaping the rewards of working. Wages are not increasing, growth is slowing and unemployment is rising. Mr Turnbull put his name to all of the cuts that Mr Abbott made in the community and he is still after Medicare. This is a shameful deal between the Greens and the Liberal Party, who are in cahoots to take away—
(Time expired)

Senator RHIANNON (New South Wales) (13:55): Today's debate is another attempt where Labor are trying to use process. They have run out of political arguments to defend—

Opposition senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Reynolds): Those on my left!

Senator RHIANNON: I acknowledge all the interjections. Please put more of them on the Hansard. It illustrates the desperation. They are trying to defend the indefensible because they are bankrupt. What they are trying to defend are the backroom deals. How far they have gone to try and discredit a very useful inquiry that we had today. One of the things they are saying is that there was not enough time. Senator Conroy, who asked 99 per cent of the questions for Labor—

Senator Dastyari interjecting—

Senator RHIANNON: I am happy to take the interjections, but Senator Conroy handed his time over to senators from other parties because he ran out of questions. So, for all the complaints, that is what went on. Useful evidence was given by the Australian Electoral Commission, by experts like Antony Green and Professor Williams, and by political parties. The solid work to help inform us was done. There were some very useful comments about below-the-line voting and a real commitment by people to work through how we ensure that it is voters who decide their preferences. There was much discussion about how ordinary people should play a part in parliament and in the electoral process. I believe that the Senate voting reform proposals before us, when we get to the bill, provide that opportunity. Above-the-line voting will require at least six boxes to be ticked. People will be ticking more than just major parties when they come to allocate their preferences, and therefore we can keep that very important aspect of emerging parties and smaller parties being elected to this parliament.

There was incredible misinformation from some of the earlier speakers in this debate to misrepresent this inquiry, which went to considerable lengths. One hundred and seven submissions were received, Senator Polley and Senator Dastyari, which set out some very real, useful information on how—

Senator Dastyari interjecting—

Senator RHIANNON: Senator Dastyari is bankrupt to the point where he says, 'You can't even say it's real.' It was a very useful inquiry; 107 submissions being made to an inquiry is impressive, with by far the majority of those submissions setting out support for Senate voting reform.
Let us remind Labor colleagues that this is building on the work that they participated in—because these days we are not sure which Labor we are dealing with in this debate. Are we dealing with the Labor of Senator Conroy, who just about froths at the mouth when he talks about this issue? Or are we dealing with the Labor of Jennie George and Gary Gray, who continue to have a balanced, responsible and democratic approach to this issue of Senate voting reform? Labor is split, and that was reflected today when Senator Conroy himself had to do the heavy lifting, getting very little support from any of his colleagues; now the message they have brought in here has been deceptive to their own colleagues.

*Senator Conroy interjecting—*

**Senator RHIANNON:** Senator Conroy, it is good you have joined us! I have just informed the Senate, Senator Conroy, of how you ran out of questions today at the committee inquiry and you had to give over your time to the other senators. It really does speak volumes. It really speaks volumes when Senator Conroy himself runs out of questions on such an important issue as Senate voting reform. He is the warrior for the Labor Party on this issue and he loses the argument. *(Time expired)*

Debate interrupted.

**QUESTIONS WITHOUT NOTICE**

**Taxation**

**Senator GALLAGHER** (Australian Capital Territory) (14:00): My question is to Senator Brandis, the Minister representing the Prime Minister. I refer to the minister's statement yesterday:

It has always been the position of coalition governments to have an in-principle opposition to retrospectivity.

Does this principle apply under Prime Minister Turnbull and does it apply to negative gearing?

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): That has always been our disposition.

**Senator GALLAGHER** (Australian Capital Territory) (14:00): Mr President, I ask a supplementary question. I refer to the minister's statement yesterday that, on negative gearing, the Prime Minister has made the coalition's position 'perfectly clear'. Is it perfectly clear that retrospective negative-gearing changes are on or off the table, or doesn't the minister know?

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): Senator Gallagher, we are going to have a budget and we will be making certain announcements in relation to a range of measures. As you know, Senator Gallagher, since last year we have been having a constructive national conversation about tax reform.

**Senator Kim Carr:** On the GST.

**Senator BRANDIS:** It was a constructive national conversation, an element of which—thank you, Senator Carr—was about changes to the GST, a topic that was introduced into the discussion by two state premiers: Mr Weatherill, the Labor Premier of South Australia; and Mr Baird, the Liberal Premier of New South Wales. As a result of a very long and thorough
discussion about the GST, which involved more constructive contributions on the part of the Australian Labor Party than we have heard from you in this parliament, we have decided to make certain decisions in relation— (Time expired)

Senator GALLAGHER (Australian Capital Territory) (14:01): Mr President, I ask a further supplementary question. I refer to Senator Back, who says he does not support changes to negative gearing and seeks 'further information and enlightenment sooner rather than later'. When will the Prime Minister come clean and tell his own backbench and the parliament what his tax plan is?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:02): I am surprised to hear, Senator Gallagher, that Senator Back feels the need for enlightenment, because I find Senator Back to be one of the most enlightened people I have ever had the pleasure of dealing with in this parliament. Senator Back, who, as all of his colleagues know, is both a gentleman and a scholar, needs no enlightenment about anything because he is such an enlightened gentleman.

Now, in relation to the question of negative gearing, what we know, Senator Gallagher, is that under a policy announced by your leader, Mr Bill Shorten, the value of people's homes—

The PRESIDENT: Pause the clock.

Senator Wong: Mr President, I raise a point of order in relation to direct relevance. There was only one question: when will the Prime Minister come clean and tell his own backbench and the parliament about his tax plans?

The PRESIDENT: Thank you, Senator Wong. I remind the minister of the question.

Senator BRANDIS: On the point of order—I am sorry; I cannot address the point of order. Mr President, you have ruled on the point of order.

Senator Wong interjecting—

Senator BRANDIS: Senator Gallagher—through you, Mr President—

Senator Wong interjecting—

Senator BRANDIS: If you wouldn't mind ceasing interjecting, Senator Wong, please.

Opposition senators interjecting—

The PRESIDENT: Order, on my left!

Senator BRANDIS: There is one thing we know about the negative-gearing debate. What we know about the negative-gearing debate is that, if the Labor Party were to implement its policy, the value of most Australians' homes would collapse. (Time expired)

DISTINGUISHED VISITORS

The PRESIDENT (14:04): Order! I draw to the attention of honourable senators the presence in the chamber of a parliamentary delegation from New Zealand, led by the Hon. Ruth Dyson MP, Chairperson of the Government Administration Committee. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

Honourable senators: Hear, hear!
QUESTIONS WITHOUT NOTICE

Media Ownership

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:04): My question is to the Minister for Communications, Senator Fifield. Can the minister inform the Senate of how the government is reforming Australia's media laws to bring them into the digital age?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:04): I thank Senator Smith, in his role as chair of the government's communications and arts committee, for his advice and counsel and stewardship of these matters through the internal processes of the party.

I think all colleagues would recognise that Australia's media laws were crafted in an analog era for an analog world, and the ways that consumers are accessing their media—the options that technology is presenting for their consumption of media—are bit by bit rendering the existing media laws redundant. Also, a number of media organisations are finding that the existing media laws are constraining their capacity to configure themselves in ways that are the best for their business and best for consumers.

So I announced earlier today that the government will be seeking to abolish what is known as the 75 per cent audience reach rule, which prevents a collection of licences having more than 75 per cent coverage of the Australian audience, and to abolish what is known as the two out of three rule, which prevents merging of more than two out of three of the regulated traditional media platforms controlled by an organisation—those traditional media platforms being print, TV and radio.

This is good news for the media industry. It will be good news for consumers, and I think I will shortly have the opportunity to share why it will also be particularly good news for regional consumers. We need to make sure that the media laws that we have are appropriate and recognise the world that we live in today. We have to be always ready to change to suit technology.

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:06): Mr President, I ask a supplementary question. Can the minister outline to the Senate what the government is doing to ensure that regional communities receive stronger local content protections?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:07): When you talk about media reform, regional communities, understandably, have a strong and legitimate interest in local content. What we will be proposing is that six months after a trigger event there will be new and higher local content requirements that will come into place for the aggregated markets, going up from 720 to 900 points over a six-week period. Also, if there is a trigger event in major population areas in a non-aggregated market, we will introduce, for the first time, local content requirements. Following a trigger event they, in those areas, will go from zero to 360 points per six-week period. So, there will be higher thresholds and a higher baseline of local content for aggregated areas and, for the first time, there will be a baseline of local content for major population centres in non-aggregated areas, which is good news for consumers.
Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:08): Mr President, I ask a further supplementary question. Can the minister advise the Senate how the government will protect diversity in the Australian media?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:08): The greatest protection these days for diversity comes by way of technology and consumer choice. There are new media operations, and consumers have greater capacity to access them than ever before. That is first and foremost. For those who may have some concerns, we can point to the remaining media laws. There is the five-four rule, which requires there to be five voices in metropolitan areas and four voices in regional areas. Also, there will still be the one-to-a-market rule, which will allow one TV licence per market, and the two-to-a-market rule, which will allow only two TV licences per market. There will also be the ongoing ACCC protections. Those do not change. There will also be the existing FIRB requirements. Those do not change. So there are still those historic protections there. But, as I say, the greatest protection and the greatest guarantee of diversity is technology, the plethora of media outlets and the opportunity for consumers to access them.

Taxation

Senator KETTER (Queensland) (14:09): My question is to the Minister for Finance, Senator Cormann. I refer to the Treasurer's previous statement on 'excesses that might occur in negative gearing'. Does the minister agree with the Treasurer that there are excesses in negative gearing?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:09): I make a habit of not trusting the quotes that are asserted by members opposite in relation to the Australian Treasurer.

Senator Wong: It was put to you on radio this morning.

Senator CORMANN: What was put to me on radio this morning was an alleged anonymous report in a newspaper.

Opposition senators interjecting—

The PRESIDENT: On my left!

Senator CORMANN: What I said to the journalist this morning was what I would say to Senator Ketter and to the Senate: do not believe everything you read in the newspaper. What I said on radio this morning and what I will say to the Senate is that the government continues to work on our plans for stronger growth and more jobs. The government continues to work to assess how we can further improve our tax system, how we can make it more growth friendly, how we can make it more efficient and less distorting in the economy and how we can facilitate stronger growth and more jobs. The work we are doing in relation to the tax system—

The PRESIDENT: Pause the clock.

Senator Wong: Mr President, on a point of order: I seek leave to table the Hansard from the House of Wednesday, 10 February 2016, in which Mr Morrison refers to 'the excesses that might occur in negative gearing'. That might assist the minister.
Leave not granted.

Opposition senators interjecting—

The PRESIDENT: On my left! Order!

Senator CORMANN: How juvenile they are! If they want to reference a particular quote from Hansard, why didn’t they say so in the question? If they were referencing what was put to me on radio this morning, it was an alleged anonymous report in a newspaper.

It is well known that the government has for some time been considering, through an orderly, methodical process, how the tax system could be further improved. That is part of our overall plan to strengthen growth and create more jobs, which includes a whole range of other very important initiatives pursued by the government. That process is ongoing. When the government is in a position to make relevant announcements, we will make them.

Opposition senators interjecting—

The PRESIDENT: On my left!

Senator Lines interjecting—

The PRESIDENT: Senator Lines!

Government senators interjecting—

The PRESIDENT: On my right!

Senator KETTER (Queensland) (14:12): Mr President, I ask a supplementary question. Now that we know of the existence of Hansard on this, I will persist on this matter. What excesses in negative gearing was the Treasurer talking about?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:12): As I indicated in response to the primary question, the government is currently working in an orderly, methodical fashion through the options that might further improve the tax system.

The PRESIDENT: Pause the clock.

Opposition senators interjecting—

The PRESIDENT: On my left!

Senator Moore: Mr President, I raise a point of order on direct relevance. It was a very short question from Senator Ketter asking specifically about the excesses in negative gearing referred to by the Treasurer in the Hansard that Senator Wong so helpfully provided for the minister.

The PRESIDENT: Thank you, Senator Moore. I remind the minister of the question.

Senator CORMANN: The government continues to assess a whole range of information in relation to how our tax system can be improved. When we are in a position to make relevant announcements, we will make them.

Senator KETTER (Queensland) (14:13): Mr President, I ask a further supplementary question. Is the Turnbull government going to address the excesses in negative gearing identified by the Treasurer? If not, why not?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:13): What the Turnbull
government is doing in relation to tax is exploring how the tax system can be further improved, how it can be made more growth friendly and how it can be restructured such that it will help facilitate stronger growth and more jobs. That is what we are doing right across the areas of public policy. That is why we are pursuing an ambitious innovation agenda. That is why we are pursuing an ambitious free trade agenda. That is why we are pursuing an ambitious infrastructure investment program. That is why we are pursuing an ambitious deregulation agenda. That is why in last year's budget we reduced taxes for small business. That is why right now we are working to assess how the tax system could be further improved to facilitate stronger growth.

Pensions and Benefits

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:14): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to the government's failure to address the budget revenue issues by ending unfair tax breaks that benefit the very wealthy, such as negative gearing, superannuation tax concessions and the capital gains tax exemption. I also refer to recent reports that indicate that 10 to 20 per cent of young people sometimes report going to bed hungry and that 17.7 per cent of children live below the poverty line. Given its failure on the revenue side, how does the government plan to cut expenditure? Is it planning to further cut the social safety net and, if so, how?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:14): Senator Siewert, that is a very important and comprehensive question. I can tell you that the Prime Minister has from day one stressed the importance of Australia continuing to have a fair and strongly supportive social safety net. That is a core principle of this government, a core value of this government. But that comes at a cost, and difficult budgetary decisions do have to be made. As you well know, Senator Siewert, there needs to be sufficient revenue to maintain that generous social safety net. At the same time, we are a government that believes in ensuring that the Australian taxpayer gets the best value for money that they can possibly receive. So we are a low-tax government.

Reconciling those two objectives—being a low-tax government so as to give taxpayers as much freedom and disposition over their incomes as is possible while nevertheless maintaining appropriate levels of social services—is always one of the great challenges of public policy making.

We think that in Australia, over the years, we have got that balance largely right. We have not fallen into the trap of the Europeans; nor have we fallen into the trap of the Americans, whose social welfare provision is much less generous than Australia's. There will be at the margins occasions when we want to adjust the critical balance between ensuring that we do not pay too much tax and ensuring that we have enough revenue to have a decent social policy. But this government is determined to get that balance right.

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:16): Mr President, I ask a supplementary question. I note that I did not get a clear answer as to whether they are cutting it and how. I refer to the government's previous expenditure cuts such as cuts to single parents and family payments, pushing people off the disability support pension and attempts
to push young people off income support for six months. Will the government rule out making cuts to our social safety net?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:17): Senator Siewert, I answered your primary question in the way that I did because I wanted to explain to you the values that inform this government's decision making. But now you are asking me to, as it were, pre-announce what may or may not be in the budget. Decisions about particular program design, decisions about the architecture of particular social programs, as you well know, Senator Siewert, are decisions that are announced in the budget. Out of respect for my colleague the Treasurer and out of respect for the orderly processes of this parliament I will decline to pre-announce such decisions, which, were they made, would be budget decisions.

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:18): Mr President, I ask a further supplementary question. The government will rule out making changes to revenue—negative gearing, capital gains and other measures. Why will they not now rule out making cuts to our social safety net?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:18): The proper design of a generous social safety net will always be subject to adjustment. For as long as I can remember, I doubt that there has been a budget, Labor or coalition, in which there were not some changes made to the arrangements for the social safety net. But any such decisions, if there are any, are decisions for the Treasurer to announce with the budget.

Defence White Paper

Senator BACK (Western Australia) (14:18): My question is to the—

Senator Kim Carr: How's the enlightenment going?

Senator BACK: Senator Carr may well be enlightened by this question. My question is to the Minister for Defence, Senator Payne. Can the minister advise the Senate of the range of strategic challenges Australia will face over the next 20 years?

Senator PAYNE (New South Wales—Minister for Defence) (14:19): I thank Senator Back for his question. Included in the white paper that the Prime Minister and I released last Thursday is a very comprehensive assessment of Australia's strategic environment over the next two decades—the matters to which Senator Back has referred. Whilst the white paper acknowledges that there is no more than a remote prospect of an attack on Australian territory by another country in the next 20 years, we will undeniably face a more complex and unpredictable strategic environment.

In the strategic review, six key drivers that will shape Australia's security environment were assessed by Defence and by the government. Firstly, there is the roles of the United States and China, and particularly the relationship between them—characterised most certainly by cooperation and, in some cases, differences of opinion. Secondly, there are challenges to the stability of the rules based global order, including efforts by some nations who are trying to promote their own interests outside what are regarded as established rules. Thirdly, and importantly, there is the enduring threat of terrorism to Australia's security. We see the spread of extremism and violence not just in capitals around the world; in fact, it has marked our own shores on occasion as well—and it is likely to be worsened as foreign
terrorist fighters potentially return from their activities. Fourthly, there is state fragility, including within our immediate neighbourhood. Simultaneously, there is the sped-up pace of regional military modernisation delivering more capable regional military forces. Finally, we see more complex security threats, including cyberthreats to the security of our information and communications systems.

These six drivers will lead significantly to the shaping of Australia’s security environment— (Time expired)

Senator BACK (Western Australia) (14:21): I thank the minister for her comprehensive answer. Mr President, I ask a supplementary question. Can the minister explain what steps the Turnbull government is taking to ensure Australia is well placed to meet the challenges she has outlined?

Senator PAYNE (New South Wales—Minister for Defence) (14:21): Over the next two decades, through the white paper, we will ensure that the Australian Defence Force is able to undergo the significant change it needs to manage the strategic challenges that confront our nation—and, at the same time, we will of course seize opportunities that are available to us. We have remediated what have been cumulative effects of prolonged underinvestment in a number of aspects of defence over many years. We have restored the very important proper alignment of defence strategy, defence capability and defence resourcing first of all, and we have underpinned that with a comprehensive force structure review and external cost assurance processes not produced before for a defence white paper.

As I have said, our plans for naval modernisation, in particular, are at the heart of our very significant investment in defence capabilities. In commencing a continuous build—particularly of surface ships—which will secure thousands of Australian jobs, we are taking a very important step for Australian industry. (Time expired)

Senator BACK (Western Australia) (14:22): Mr President, I ask a further supplementary question. Can the minister advise the Senate how the Turnbull government has ensured its defence and security plan for Australia is both achievable and affordable?

Senator PAYNE (New South Wales—Minister for Defence) (14:23): I thank Senator Back for his supplementary. I referred to the external cost assurance process through the integrated investment program that was released with the white paper last week. That was a very important initiative in terms of ensuring that we are able to achieve and afford the defence white paper and its capability acquisition plan. We will also—as I indicated both in my ministerial statement and earlier—meet the government's commitment to grow the defence budget to two per cent of GDP within the decade after our election. We are going to be able to provide defence and defence industry with the funding certainty that they need to deliver the long-term capability requirements that the ADF needs. That will include our high technology intelligence, surveillance and reconnaissance capabilities that will give our forces much greater awareness, literally, of what is happening around them. We are also investing in Australia’s Defence Force to ensure that it is operating effectively in the more challenging strategic environment I referred to earlier. (Time expired)

Defence Procurement

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:24): My question is also to the Minister for Defence, Senator Payne. I refer to a South Australian
Liberal Party advertisement which is currently running on commercial radio in Adelaide claiming:
Malcolm Turnbull's South Australian Liberal team will deliver 12 submarines for the navy creating jobs for our state for decades.
Can the minister confirm that this claim is inconsistent with the government's defence white paper?

Senator PAYNE (New South Wales—Minister for Defence) (14:24): I am not sure that Senator Wong grasps the premises of the white paper, particularly in relation to the aspects of the Integrated Investment Program and the work that will be required to basically bring to fruition the government's commitments in the white paper. If she did, then she would be aware that we will deliver thousands of jobs in shipbuilding across Australia for thousands of Australian workers. The reason that we are able to do that is that, unlike those opposite, we are actually engaged at this point in time, just for starters, in three separate competitive evaluation processes—one with which the senator is very much familiar, the competitive evaluation process for the Future Submarine, and two others for offshore patrol vessels and for the Future Frigates—all three of which will, as they progress to fruition, bring significant amounts of industry activity and employment to Australian industry.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:25): Mr President, I ask a supplementary question. During Senate question time last week, the minister said that the government's competitive evaluation process for our Future Submarines asked bidders to submit an option for:
… a completely international build …
Given the government's own process leaves a completely international build on the table, how can the minister justify the misleading ad running on radio?

Senator PAYNE (New South Wales—Minister for Defence) (14:26): I assume that, as a former finance minister, Senator Wong is familiar with the processes of engaging in things like competitive evaluation processes and tenders. For example, it seems to me that when Prime Minister Rudd, defence minister Smith, industry minister Combet and defence materiel minister Kelly announced the then Labor government's initiative on supply ships and said, and I quote—

Senator Moore: Mr President—

The PRESIDENT: Pause the clock.

Senator Moore: I rise on a point of order on direct relevance to the particular question asked by Senator Wong, which was about the misleading ad on South Australian radio and about the aspect of 'completely international build'. The minister has not come close to that aspect.

The PRESIDENT: Senator Wong did ask about how the minister can justify the ads that are running in South Australia. I have been listening to the minister's answer and I am waiting for the minister. Minister, you have 35 seconds.

Senator PAYNE: Thank you very much, Mr President. Let me finish my quote from the Labor ministers:
The Government will at the earliest opportunity replace Australia's supply ships HMAS Success and HMAS Sirius.

Senator Wong: Mr President—

The PRESIDENT: Pause the clock.

Senator Wong: I rise on a point of order as to direct relevance. The question was about this minister's own white paper—the fact that it leaves open a completely international build, which is entirely inconsistent with the misleading ad the Liberal Party is running in South Australia. She should answer the question, Mr President.

The PRESIDENT: Thank you for your point of order. I remind the minister again of the question. Minister, you have 29 seconds in which to answer.

Senator PAYNE: Thank you:

This will include examination of options for local, hybrid and overseas build or the leasing of an existing vessel.

As the senator knows, I said last week that there were three options contained in the CEP, which is a matter of public record: an overseas build, a hybrid build and a domestic build. But no matter what the build is, the difference between us and them is the number of jobs that will be created in shipbuilding in this country; the difference between us and them is zero over there and thousands over here. (Time expired)

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:29): Mr President, I ask a further supplementary question. Given the minister's answer just then demonstrated that the advertisement is not consistent with the defence white paper and the competitive evaluation process, will the minister now require that the misleading South Australian Liberal ad be withdrawn?

The PRESIDENT: Minister, part of that question I think does not necessarily fall within your purview in being able to direct a party organisation, but I will invite you to answer parts of that question that you can.

Senator PAYNE (New South Wales—Minister for Defence) (14:30): Thank you, Mr President. I am not even sure I heard the question.

Senator Wong: I am happy to repeat it.

The PRESIDENT: Minister, are you seeking for the question to be repeated?

Senator PAYNE: No, I am not, Mr President.

The PRESIDENT: Fine, you have the call, Minister.

Senator PAYNE: It is fair to say I have heard it all before. What those opposite do not understand is that the advertisements to which they refer talk about Australia with an acquisition program for 12 submarines. That would be the difference between the people sitting on this side and the people sitting over there—an actual acquisition program for 12 submarines. That would be the difference between nought jobs delivered by those over there and what will be thousands of jobs delivered by this government in shipbuilding in Australia.
Defence White Paper
Defence Procurement

Senator EDWARDS (South Australia) (14:31): My question is to the Cabinet Secretary, Senator Sinodinos, representing the Minister for Industry, Innovation and Science. Can the Cabinet Secretary explain to the Senate what the 2016 Defence White Paper means for Australia's defence industry?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:32): I thank Senator Edwards for this important question and I thank him for his continued advocacy for South Australian defence industry. He has been a powerful advocate of defence industry and made a dramatic intervention on that matter early last year.

May I begin by congratulating the Minister for Defence, Senator Payne, on the release of this white paper. It is the right strategy for a modern Australia in a more complex world. The white paper will see the government deliver a more capable, agile, potent Australian Defence Force that will be ready to respond wherever Australia's interests are engaged. Key to achieving this objective is this unprecedented partnership between the government and Australian defence industry, a partnership facilitated by a fully costed, externally assured, 10-year integrated investment program of $125 billion worth of investment in defence capability over the decade to 2025-26. Critically, for the first time, the defence white paper will bring together all areas of investment in capability and provides much greater transparency in industry's relationship with the government's defence procurement plans.

In contrast to the opposition, who led us through the valley of death when they were in government, we are supporting Australia's defence industry. Amongst other initiatives, we have reaffirmed the commitment to a continuous naval shipbuilding program—nine frigates and 12 offshore patrol vessels built here in Australia. The defence white paper is a real plan for our nation's security, backed by real funding. Fundamental to Australia's defence industry, it is achievable and affordable.

Senator EDWARDS (South Australia) (14:33): Mr President, I ask a supplementary question. Will the Cabinet Secretary explain to the Senate the benefits of producing the defence industry statement?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:34): One of the things that got me particularly excited last week was the release by the Prime Minister and the Minister for Defence of a defence industry policy statement. This is a landmark document which shows the determination of the government to transform its relationship with defence industry. The government will cut red tape for our defence industry firms, making it easier to do business with government. We will build a new strategic partnership with industry for a strong and sustainable defence sector. We have formally recognised for the first time the vital role of Australian defence industry as an input to our capability. In particular, I draw the attention of the chamber to $1.6 billion over 10 years in new initiatives, such as $640 million for a defence innovation hub which will foster collaborative innovation from concept through prototyping, testing and introduction into service.

An opposition senator: That's exciting!

Senator SINODINOS: It is exciting for me.
Senator EDWARDS (South Australia) (14:35): Mr President, I ask a further supplementary question. Will the Cabinet Secretary please outline for the Senate the role of the Centre for Defence Industry Capability?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:35): The new Centre for Defence Industry Capability is a $230 million investment from the government. With a focus on the delivery of defence capability, building defence skills, driving international competitiveness and opening access to Australian markets, the centre will invigorate our defence industry. The centre will be delivered through close collaboration between the private sector, the Department of Defence and AusIndustry. Additionally, the government will also invest $730 million into the Next Generation Technologies Fund. It is good news for Australia’s defence industry and it is good news for Australian jobs, but, importantly, it is good news for innovation. It is a further downpayment on the government’s agenda to promote innovation across Australian industry.

Defence Procurement

Senator LAMBIE (Tasmania) (14:36): My question without notice is to the Minister for Defence, Senator Payne. I refer the minister to her government’s $450 billion defence white paper and the fact that Tasmania’s businesses have been ignored for two decades when it comes to the fair awarding of defence contracts. I also refer the minister to comments made by Tasmanian businessman Michael Grainger, of Liferaft Systems Australia, who says: It is ironic that we are dealing with the major defence forces around the world but not our own country. When it comes to the fair awarding of defence contracts, does the minister agree that it is the weak representation by Liberal members of this parliament for 20 years and being taken for granted that has guaranteed Tasmanian businesses, including those associated with Land 400, will continue to be ignored for another 20 years? How are you going over there Senator Abetz?

Senator PAYNE (New South Wales—Minister for Defence) (14:37): I thank Senator Lambie for her question. It will not surprise Senator Lambie to know that I do not agree with the premise of her question and her observations in relation to my extremely valued Senate colleagues. The exact idea behind the Defence Industry Policy Statement, which will be a bible, if you like, for those who are engaged in the defence industry across Australia—in particular for leading Tasmanian businesses, a number of which have already been drawn to my attention by our parliamentary colleagues from Tasmania—is that they will be able to work within the 2016 Defence Industry Policy Statement, which sets a new paradigm for the relationship between Defence and industry across Australia, in regional areas and around the nation, for small, medium and large enterprises.

There are over 3,000 defence related industries in Australia. A number of those are located in Tasmania. A number of those are referred to in the 2016 Defence Industry Policy Statement. I look forward to working with all members of the parliament who represent Tasmania to make the most of those relationships and to maximise the possible contribution of those industries to engagement with Defence.

Senator LAMBIE (Tasmania) (14:38): Mr President, I ask a supplementary question. I refer the minister to her reply. Does the minister agree that the only chance for Tasmanian defence businesses to receive a fair share of her government’s $450 billion defence budget is

Senator LAMBIE (Tasmania) (14:39): Mr President, I ask a further supplementary question. I refer the Defence minister to her government's $450 billion defence white paper, Tasmania's record youth unemployment rate and Australia's trade skills shortage. Does the minister agree that, should her government have the vision to re-establish the defence apprenticeship and trade training programs as part of voluntary youth national service, then those training positions would offer hope to our unemployed youth while strengthening the defence of our nation?

Senator PAYNE (New South Wales—Minister for Defence) (14:39): Senator Lambie and I are not as one on the question of national service, but there are certainly some aspects of that question with which I strongly agree, which is to say—and I have discussed this matter with the Minister for Education—there are going to be enormous opportunities for training and for growth in the working environment for people who wish to engage in defence industries. One of the important parts that is referred to the 2016 Defence Industry Policy Statement—in fact, Senator Sinodinos just referred to it in his response to Senator Edwards's question—is in relation to the Centre for Defence Industry Capability. It will have a significant role in working with primes and medium and small enterprise in the defence space to bring all of that together. I look forward to working with companies like the two companies in Tasmania that are referred to in the 2016 Defence Industry Policy Statement, Taylor Bros and Delta Hydraulics, in making sure that they are well placed to participate in defence industry into the future as we ensure the strength of our defence industry going forward.

Abbott Government

Senator STERLE (Western Australia) (14:40): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to the Quadrant essay by the former Prime Minister, Mr Abbott. Is Mr Abbott right to say that the Abbott government's 2014 budget was 'fundamentally fair'?

Honourable senators interjecting—

The PRESIDENT: Order on both sides!

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:41): I have not had the opportunity to read Mr Abbott's essay in Quadrant, but I will make sure that I do.

Opposition senators interjecting—

The PRESIDENT: On my left.

Senator BRANDIS: I am, as you might expect, an avid reader of Quadrant, as most intelligent people are. I have read much of what Mr Abbott has written over many years.

Senator BRANDIS: He is, of course, the author of several books and is a very good writer. I can tell you, and this was a point made by Mr Turnbull as recently as this morning in our party room meeting, the Abbott government made many, many courageous decisions which made Australia a much better place and of which we ought to be proud, and we are.
Opposition senators interjecting—

The PRESIDENT: On my left!

Senator STERLE (Western Australia) (14:42): Mr President, I ask a supplementary question. Is Mr Abbott right to say that he was felled by a well-organised party room coup and his prime ministership failed because some of his senior colleagues, 'didn't want the Abbott government to succeed'?

Opposition senators interjecting—

Senator Kim Carr interjecting—

The PRESIDENT: On my left! Senator Carr!

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:42): As I said, I have not had the opportunity to read the essay—

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy!

Senator BRANDIS: and so I am not at liberty to comment on particular observations that Mr Abbott may have made in the article, nor is it my practice, and nor would you expect me, to engage in political commentary on events of the recent past.

Opposition senators interjecting—

The PRESIDENT: On my left!

Senator STERLE (Western Australia) (14:43): Mr President, I ask a further supplementary question. Does the Leader of the Government in the Senate agree with the current Prime Minister, Mr Turnbull, that the Abbott government had no economic narrative, or does he agree with the former Prime Minister, Mr Abbott, that his government's narrative was 'clear from the beginning'?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:43): I am not quite sure where those quotes came from. I assume the quote that you have attributed to my friend, Mr Abbott, came from his Quadrant essay.

Opposition senators interjecting—

The PRESIDENT: On my left!

Senator STERLE: As I said, I will read the Quadrant essay when I have a moment, because I find everything that my friend, Tony Abbott, says is well worth reading.

Opposition senators interjecting—

The PRESIDENT: Order on my left!

Australian Defence Force

Senator IAN MACDONALD (Queensland) (14:44): Unlike the previous question, I have a serious policy question, this time to the Minister for Regional Development, Senator Nash, who I note works and operates in regional Australia. Can the minister advise the Senate of the important role that the Australian Defence Force plays in regional Australia?
Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate, Minister for Rural Health, Minister for Regional Development and Minister for Regional Communications) (14:44): I thank Senator Macdonald for his question. The Australian Defence Force has a long and proud history of working with those in communities in rural, regional and remote Australia. From Swanbourne to Singleton, the critical role of the ADF can be felt in our local regional communities. Through the defence white paper announced last week the government will deliver greater security and opportunity for regional Australia. It is a plan for Australia's long-term defence.

The government will provide approximately $195 billion in investment in capability over the next decade, a significant proportion of which will be spent in Australia. A strong, agile and dynamic economy and defence go hand in hand. With a good proportion of the defence budget to be spent locally, we will clearly see benefits for our regional communities. Increased construction and development will provide significant opportunities for local industries, such as building and construction, ICT and logistics. There will be more jobs and more opportunities for defence related industries to support defence initiatives and increase economic prosperity.

Under the defence white paper uniformed personnel will increase to around 62,400 over the decade to 2025-26, the largest increase since 1993. This growth reflects nearly 5,000 new or reallocated ADF positions, with a net increase of around 2,500 ADF positions over the decade. Many of these benefits will flow into not only the regional communities of Queensland but all those communities home to Defence assets across rural, regional and remote Australia. The ADF has played a critical role in Australia's regions for more than 100 years, and the defence white paper sets a strong foundation for this to continue into the future.

Senator IAN MACDONALD (Queensland) (14:46): Mr President, I ask a supplementary question. I thank the minister for that very encouraging answer, particularly for northern Australia. I ask the minister if she can elaborate on the jobs and growth in regional Australia in my home state of Queensland, particularly up in the north where I come from, and in northern Australia and on how jobs and growth will result from the defence white paper just recently announced?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate, Minister for Rural Health, Minister for Regional Development and Minister for Regional Communications) (14:47): I certainly can provide that advice to the senator. Queensland is home to 22,000 Defence personnel that contribute around $3.4 billion to the Queensland economy every year. North Queensland will see great economic benefits flow from the defence white paper. Townsville will see major improvements to existing Defence infrastructure. Additional wharf space and support facilities will be developed in Cairns to support the 12 new offshore patrol vessels that will be based there. Accommodation facilities will also be upgraded at the Lavarack Barracks in Townsville, which will benefit from a $50 million investment. Townsville will also see benefits as part of around $300 million to $400 million which will be spent on new and enhanced weapons and explosive ordnance facilities across Australia. It is clear that the coalition has a clear plan for Defence and an even clearer plan for jobs and growth in Queensland.

Senator IAN MACDONALD (Queensland) (14:48): Mr President, I ask a further supplementary question. Again, I thank the minister for that very encouraging news. I will...
just ask the minister how the defence white paper complements other government initiatives for jobs and growth in northern Australia?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate, Minister for Rural Health, Minister for Regional Development and Minister for Regional Communications) (14:48): The coalition understand that all parts of government have a role in driving the economic development agenda in regional Australia. I know Senator Macdonald knows that well. The defence white paper investment is well supported by the coalition government's strong regional development approach. This announcement builds on our commitment to key regional roads and infrastructure through programs such as Roads to Recovery, the Mobile Black Spot Program and the Bridges Renewal Program. This is also complemented by the national stronger regions fund, which I might add has its third round closing shortly.

Each of these programs contributes to our unflinching focus on jobs and growth for all of those who call regional Queensland and regional Australia home. I look forward to working closely with the defence minister to ensure the strong relationship between Defence and regional development can continue and deliver greater outcomes to those in rural, regional and remote Australia.

Superannuation

Senator GALLACHER (South Australia) (14:49): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to the statement of the former Prime Minister Mr Abbott that:

There'll be no changes to super, no adverse changes to super in this term of Parliament and we have no plans to make adverse changes to super in the future.

Is this the policy of the Turnbull government?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:50): I am not familiar with the source of that quote, but you are an honest man, Senator Gallacher, so I will assume that that is an accurate quotation. Senator Gallacher, there are no plans to act at variance from that remark.

Senator GALLACHER (South Australia) (14:50): Mr President, I ask a supplementary question. I refer to the government's proposal to introduce a 15 per cent super contribution tax rebate model, which could adversely affect up to nine million Australians. Will the minister rule out increasing super taxes for millions of middle-income Australians?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:50): The government has made no such decision.

Senator GALLACHER (South Australia) (14:50): Mr President, I have a final supplementary question. Will the minister rule out permanently freezing the superannuation guarantee at 9.5 per cent?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:51): Once again, Senator Gallacher, the government has made no such decision.
Vocational Education and Training

Senator McKENZIE (Victoria) (14:51): My question is to the Minister for Education and Training, Senator Birmingham. Will the minister update the Senate on the progress regarding the jobs focused P-TECH pilot in Geelong and Ballarat in my home state of Victoria?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:51): I thank Senator McKenzie for the question and for her very strong and passionate interest in this program, particularly in the communities of Geelong and Ballarat. Our government is very committed to helping school students navigate their pathways to further training, further education or employment. We are examining a range of models as to how that can best be achieved, including the US based Pathways to Technology Early College High School, otherwise known as P-TECH. As part of this commitment we are undertaking a half-a-million-dollar trial of two P-TECH sites in Victoria—one in Ballarat and the other in Geelong, as mentioned. Both of those trials commenced this year, and I am delighted to give progress reports to the Senate.

At the Newcomb Secondary College in Geelong, over 80 year 9 students are participating in the first year of the trial. It is compulsory for those students in year 9 and will then become an elective from year 10 onwards. These students are working with a range of local employer partners to develop their STEM skills and job readiness. Employers include: Barwon Health, GMHBA, Tribal Campus, in the ICT space, Bendigo Bank and the Opteon group. I really want to thank those employers for their participation. In Ballarat, IBM have provided Federation College with significant support in developing this model. A dedicated P-TECH class of nearly 20 students is running, and all year 10 students are undertaking P-TECH electives.

I want to particularly take this opportunity to congratulate not just the employer partners in both sites but also the principals from the two schools involved, Phil Honeywell and Shirley Fraser, for their passion and commitment as well as the cooperation of the school communities.

Importantly, the P-TECH model is providing a pathway to work and employment for these school students. It is providing them with a real introduction to the world of work and ensuring that they not only develop more of the hard skills required for successful transition to work once they graduate from school but also those soft skills, in terms of understanding what it is that employers are looking for and better appreciating the roles that exist in their local communities.

Senator McKENZIE (Victoria) (14:53): Mr President, I ask a supplementary question. Minister, how are the pilots being adapted from their origins of the US?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:53): I am pleased to tell Senator McKenzie that this is not a direct cut-and-paste of the US model but that we are seeking to take the best bits of that and adapt them to complement the Australian education and schooling context. The education department has contracted the Skilling Australia Foundation to ensure that we can work in close collaboration with the principals and teachers in these schools, as well as with the local employer partners. I do acknowledge that Nick Wyman of the Skilling Australia Foundation has been chosen as one of the 2016 recipients of the Fulbright scholarship for his work in this particular space.
The two schools involved have each taken different approaches already, with one starting in year 9 and the other starting in year 10. Some are doing compulsory units; others are choosing elective units. These types of variances will help us to best structure the model in a way that, in future, can hopefully be rolled out across many more schools around Australia, to provide that type of very practical link between local employers and local schools to further the opportunities for students in the future.

**Senator McKENZIE** (Victoria) (14:54): Mr President, I ask a further supplementary question. Minister, what has the community said about the P-TECH pilots?

**Senator BIRMINGHAM** (South Australia—Minister for Education and Training) (14:54): The communities have been both incredibly supportive and positive. This, of course, is demonstrated by the enthusiastic nature in which local businesses have got on board to support them. The Committee for Geelong CEO, Rebecca Casson, said:

> The shape and nature of Australia's workforce, and more specifically the workforce in Geelong, is transforming. Therefore Geelong is the perfect place to pilot this new innovation in education.

I want to acknowledge the fact that even Senator Kim Carr has noted his support for the program, stating, when it was announced in 2014: 'It's important we have good connections with real-world economics. So I support notions of encouraging industry to be more engaged in the education system.'

It really is critical that we make sure that we do have this positive approach to building stronger ties between local schools and local employers, because it is those types of connections that will best equip young people with direct skills to get jobs in their local communities in the future, and the Turnbull government is strongly committed to doing so.

**Work Health and Safety**

**Senator McALLISTER** (New South Wales) (14:55): My question is to the Minister for Employment, Senator Cash. I refer to the minister's statements about safety on construction sites. How many people died working on construction sites in 2015?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:56): I thank the senator for her question. The first thing I would say is that I believe everybody in this place, regardless of what political party they come from and regardless of whether they are members of unions or not, believes that safety in workplaces is absolutely paramount. In relation to the senator's question, I understand—and I have the figures for the last three years—that fatalities in the building and construction sector over the past three years were: 2013, 22; 2014, 31; and 2015, 25. And, Senator, I am sure you will agree with me that one death in the workplace is one too many.

**Senator McALLISTER** (New South Wales) (14:57): Mr President, I ask a supplementary question. I refer again to minister's statements about safety on construction sites. How many people were injured working on construction sites in 2015?

**Senator Ian Macdonald**: How many of those had their feelings injured by some of the foul language?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:57): I actually endorse Senator Macdonald's comments. I do not have the figures here in relation to those that were...
abused, obviously, by members of the CFMEU. In terms of the latest statistics published by Safe Work Australia, the data goes to 2012-13. It is actually an incident rate which refers to 'serious claims per 1,000 employees'. In 2010-11 it was 16.5; in 2011-12 it was 16.6; and in 2012-13 it was—an adjusted figure—15.9.

Senator McALLISTER (New South Wales) (14:57): Mr President, I ask a further supplementary question. Given the answers to my earlier questions, when will the minister start addressing the problem of workplace safety instead of using it to score political points?

Senator Bernardi: Why would you politicise such an issue?

Senator Back: From your government to our government, the figure has gone down!

The PRESIDENT: Order on my right!

The PRESIDENT: Order on both sides!

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:58): Again, Senator, regardless of which party we are from and regardless of whether we are union members or not, I believe every single one of us in this place—except those on the other side who refuse to condemn the actions of the CFMEU in humiliating and bullying et cetera people on work sites—would agree that safety is paramount.

Australian Natural Disasters

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (14:59): My question is to the Minister for Indigenous Affairs, Senator Scullion. Will the minister update the Senate on the rebuild of Galiwinku, following tropical cyclones Lam and Nathan last year? How is the government working in partnership with the Northern Territory government and the community to rebuild the community and repair housing?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:59): I thank the senator for that question. It is a timely question because we have just passed the one-year anniversary of 20 February 2015, when terrible damage and destruction was caused across north-east Arnhem Land by Cyclone Lam.

I am pleased to be able to report that the Commonwealth has been working in close partnership with the Northern Territory government and the community to make sure that the rebuild effort is as successful as possible. Immediately following the cyclones, thousands of fallen trees were cleared. The Northern Territory government got straight in there to restore all essential and community services to keep the community functioning. Through joint Commonwealth and Northern Territory government funding, we have completed major and moderate repairs to 160 houses in Galiwinku and we are well underway with the construction of a further 80 houses that are being rebuilt. Most importantly, local Aboriginal businesses like Gumatj timber have been contracted, in Gumatj's case to make all of the roof trusses that will build long-term capacity in the region. All the roof trusses are built out of the local eucalyptus tetrodonta.

I was fortunate enough to spend the day in Galiwinku last month, and I must congratulate the community on their resilience and participation in the building effort. One positive that came from the rebuilding process was governments’ commitment to work with the
community, and I was pleased to observe how the community views have been taken into account throughout the rebuild, from ensuring that the rebuilding program was structured to support local employment to ensuring that temporary accommodation was away from the sites that the local leadership had earmarked for economic development projects.

During my visit last month, I was very impressed that residents wanted to talk to me about their ideas for new businesses—everything from taking on a new fishing licence to running a landscaping option for all the new houses. This community has ideas and it is this government's place to set the foundation to allow these to grow, and not get in the way. Further works are being planned, including a new clinic, additional cyclone shelter and multipurpose hall, to ensure the communities function again at full capacity, ready for any future challenges that come our way. (Time expired)

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (15:01): Mr President, I ask a supplementary question. Can the minister inform the Senate of any long-term benefits for the rebuild program in Galiwinku, including any jobs that may have been created for local residents?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (15:01): A clear objective that the Commonwealth and Northern Territory governments absolutely share is to maximise community participation, employment and training in the rebuilding of Galiwinku. Whilst the damage caused over 12 months ago was terrible, we must also think about the opportunities that came our way. I am very pleased those opportunities have not been ignored. We now utilise local labour and support local businesses in the rebuilding program. Half of the workforce constructing the houses are Yolngu. Over 90 local Yolngu people got a real job through rebuilding projects across a range of construction disciplines in key roles like managing the evacuation camp and community clean-up. I congratulate the Chief Minister, Adam Giles, for sharing this vision, which requires work being completed in Aboriginal communities to meet high targets for Indigenous contracting and procurement. This is an example we should follow across government.

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (15:02): Mr President, I ask a further supplementary question. How is the rebuild work in Galiwinku linking in with other government programs to support better outcomes for Aboriginal residents in the community?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (15:03): The Commonwealth and Territory governments are focused on making this investment build on other programs and on delivering the change needed to make these improvements sustainable. This is part of our efforts to address intergenerational disadvantage in remote Indigenous communities. The employment outcomes from the rebuild program are outstanding, and I am pleased to see that the days of fly-in fly-out workforces—white men with nail bags—appear to be behind us in Indigenous affairs. The local Community Development Program provided by the Arnhem Land Progress Association has been front and centre in working with me and the Northern Territory government and contractors to secure placements and training and, ultimately, real jobs for job seekers in Galiwinku. The new Community Development Program provides communities with the flexibility to engage job seekers in a wide range of activities and pays providers...
based on outcomes rather than just engagement. We can see how this Commonwealth program is working with this rebuild to leave a lasting benefit and legacy for the community.

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

STATEMENTS

Northern Australia

Senator CANAVAN (Queensland—Minister for Northern Australia) (15:04): I have received a letter today from Senator McLucas in regard to statements I made last week. I am happy to clarify my comments for Senator McLucas. In her letter, Senator McLucas quoted me saying in the Senate last week, 'I have never suggested that the renewable energy target should be scrapped.' I have reviewed my comments and, to my knowledge, I have never called for the RET to be scrapped. Senator McLucas has drawn my attention to an opinion piece that I wrote last year, which said in part:
As an economically damaging protectionist policy, the RET should be removed.
The very next sentence in that opinion piece stated:
The adjustment should be done over time and the costs should be shared between fossil fuel, energy-intensive and renewable sectors alike.
I am happy to clarify that my opinion piece called for the RET to be removed over time, not scrapped—a position consistent with the policy itself, as it is currently legislated to close in 2030.

Senator McLUCAS (Queensland) (15:05): I seek leave to take note of the minister's statement.

Leave granted.

Senator McLUCAS: I move:

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

The explanation we have just heard from the minister is less than fulsome, frankly. To say that we need to clarify the difference between 'scrapped' and 'removed' I think is quite pedantic. I do point you, Minister, to paragraph 5.1 of the Statement of Ministerial Standards, where it says:
Ministers are expected to be honest in the conduct of public office and take all reasonable steps to ensure that they do not mislead the public or the parliament. It is a Minister's personal responsibility to ensure that any error or misconception in relation to such a matter is corrected or clarified as soon as is practicable and in a manner appropriate to the issues and interests involved.
The 'clarification' that you have given us today, Minister, I do not think takes us quite to paragraph 5.1 of the Statement of Ministerial Standards.

Last Thursday I asked a series of questions in this place which went to comments that the new minister had previously made—particularly made to his constituency in the National Party in Queensland—which went to the effects test, to income splitting and to the Renewable Energy Target. I asked:
Minister, is abolishing the RET in the interests of renewable energy producers in northern Australia, and is that government policy?
In part, the minister said:
I have never suggested that the Renewable Energy Target should be scrapped, as you suggest in that
question.
The word 'scrapped' did not appear in my question. That is completely incorrect, and then the
minister goes on to give me what I would call gratuitous advice. He says:
…and that is not how you should have presented that question here.
I will leave that gratuitous advice where it sits. I will phrase the questions I want to ask in the
way that I want to ask them.

On 19 August 2014, as the minister has advised this place, he said in an opinion piece in
*The Australian*:
As an economically damaging protectionist policy the RET should be removed.
You could ask the question, 'Who is the minister speaking to in his op-ed piece?' I would
suggest to you that the minister is talking to his National Party constituency in Queensland,
but now this gentleman, this Senator, is a minister of the Crown. I debate Senator Canavan
quite regularly on ABC radio; last week when we had a debate Senator Canavan indicated
that he has to choose his words a bit more carefully now—or something along those lines.
Yes, you do, but you always have to remember that, when you are playing with a coalition
and when you are in government, what you said in the past still stands.

We in this place—particularly from my perspective—who come from regional areas do
know that sometimes people will tell a story at home which may be a different story to the
one that is told when you come to the parliament. Be very careful about that—we have to be
very careful about that. In these modern days, Senator Canavan, we can find out what people
to say right around the place. So what is said in Rockhampton or Townsville or Cairns is often
reported in Canberra, and vice versa. So, Senator Canavan, I urge you to look again at
paragraph 5.1 of the Statement of Ministerial Standards. I encourage you to limit your sharing
of gratuitous advice and I thank you for taking heed of the letter that I have wrote to you
today. I look forward to more compliance with what the statement actually says.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (15:11): I
would like to make a few points on Senator McLucas's motion and, for the sakes of Senator
Bushby and Senator Canavan, I will be brief. Senator Canavan was given notice of this on the
day in question. In fact I stood up after question time and drew the article to his attention and
asked him to correct the record. He then asserted that:
Therefore it would not have been removed because in that opinion piece I suggested that it should be
ended and closed for new participants.
That is not actually what the piece says. If you go to the back of the piece, it says:
As an economically damaging protectionist policy, the RET should be removed.
Leaving that aside, I would say to Senator Canavan is that the opposition gave him notice on
Thursday and then took the next step of writing to him.

I do think all ministers ought to correct the record where they believe the information is not
correct. This was brought to your attention. I do acknowledge that you are doing the right
thing today—I do acknowledge that. But I would say that there is no shame in having to give
additional information to an answer. I suspect most people who have had the honour of sitting
on the front bench in this place would have done so. That sort of accountability should not be like dragging blood out of a stone. You were given plenty of notice, but I do acknowledge that the record has been appropriately corrected—or additional information has been provided.

Question agreed to.

**QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS**

**Taxation**

*Senator GALLAGHER (Australian Capital Territory) (15:13): I move:

That the Senate take note of the answers given by the Attorney-General (Senator Brandis) and the Minister for Finance (Senator Cormann) to questions without notice asked by Senators Gallagher and Ketter today relating to negative gearing.*

I will start where the Prime Minister started back in September 2014, when he said:

*It is clear enough that the Government is not successful in providing the economic leadership that we need. It is not the fault of individual ministers. Ultimately, the Prime Minister has not been capable of providing the economic leadership our nation needs.*

Today—just under six months since that press conference, which led to the doing over of Prime Minister Abbott—the coalition party room got some advice from the former Prime Minister in which he challenged the current Prime Minister over his lack of economic leadership.

What we have seen over the past six months is a complete vacuum of ideas—there is a blank page of tax policy for the Prime Minister and for the government. It is in that context that all of the issues which the government is having both internally and more broadly lie. Today's questions on negative gearing policy goes to just one element of that tax discussion. We have already seen the GST tossed out as a good idea, as something that should be pursued and something that should be talked about, discussed and on the table. It was removed when cracks started emerging in the position the Liberal Party had. Today, again, and this follows the GST discussion, we have had speculation and some indication that the Prime Minister is examining negative gearing. I understand, from today's answers, he will not rule out retrospectivity. While Senator Brandis is saying here that it has always been our disposition to not apply retrospectivity on tax changes, and in the House I understand on multiple occasions in question time there has been a refusal to rule retrospectivity out.

There is confusion about what the government is doing in a whole range of tax areas but in relation to negative gearing I think there is obviously advice coming from internally and externally. We see reports that John Howard is now providing advice to Malcolm Turnbull on tax policy, we have the previous Prime Minister offering advice on tax policy and we have a group of backbenchers—including Senator Seselja, I presume—providing advice to the government on tax policy. I have seen comments from Senator Seselja on not wanting to see any changes to negative gearing. It is in this vacuum that we are getting inconsistency and no direction and no leadership from the Prime Minister, whose main argument to take the top position was failure of economic leadership. Six months on, numerous ideas have been tossed out. One by one they get ruled out or argued about internally and what we are left with just a few months from the budget being handed down is a complete policy vacuum. We have the embarrassing situation where the Treasurer turns up for his prebudget address to the National
Press Club with nothing to say—it is unprecedented in my time watching politics that a Treasurer, the most senior minister responsible for the budget, turns up to a Press Club lunch so we can hear some ideas about what is feeding into the budget without having anything to say.

The contrast could not be more stark: we have the opposition filling that policy vacuum with a whole range of ideas—more than 50 policies that have already been released. We have revenue measures as part of that and ideas around education—a whole range of areas, more than 50 policies. Our negative gearing policy is one of those. We think it is a very good policy. If you ask first home buyers today whether they can afford to enter the housing market, most of them will tell you that they cannot. People younger than that are not even thinking they are ever going to own a home. Our policy has been well thought through and considered, and in this area the opposition is in stark contrast to the government, which has absolutely no ideas at all.

Senator SESELJA (Australian Capital Territory) (15:18): I am pleased to contribute to this debate on the motion that the Senate take note of answers given by Senator Cormann. Senator Gallagher did not mention it just now, but earlier today she said just how much Labor's negative gearing policy was going to whack Canberra. It is going to whack home owners right around the country. As Senator Gallagher acknowledged today, it is going to whack Canberra a lot more.

Senator Gallagher: No I didn't. I did not.

Senator SESELJA: It is worth getting the quote—

Senator Gallagher: You have to tell the truth.

Senator SESELJA: I will quote you—it provides a particular insight into how this is going to whack Canberrans and also it indicates Senator Gallagher's attitude to this. During a doorstop today she said:

Well, certainly, Canberra is one of those places where you see high levels of people utilising negative gearing. There is no secret about that. But, I don't think you can make policy, good policy that is good for the future of the country, determined by particular subpopulations or cities. You have to look across the board.

Senator Gallagher: And?

Senator SESELJA: 'And'! Senator Gallagher says, 'Oh well, what about that?' The first thing is that you are a local representative and you are saying even if it is going to whack Canberra, even though we rely even more than the rest of the country on negative gearing, we cannot worry about particular cities—

Senator Gallagher: Not what I said.

Senator SESELJA: I am quoting directly—we can't worry about particular cities like Canberra, the place you represent—don't worry about them, don't worry about the fact that Canberra is going to get whacked even more than the rest of the country, don't worry about the fact that 13 per cent of Canberrans are investors but a whole lot more are homeowners and the very people who were forced to take out larger mortgages to get into the market as a result of Senator Gallagher's policies when she was Chief Minister are the very people who will be most affected by the Labor's negative gearing policy. They are the people who will be most affected because if you have gotten into the market in the last two years—let us say here in
Canberra you have had to take out a $400,000 mortgage, or a $450,000 or a $500,000-plus mortgage—how are you going to feel about a policy from the Labor Party that is designed to drive the value of that purchase down, that is designed to probably put you into negative equity? That is the situation that many recent homebuyers in particular will find themselves in as a result of the policy proposed by Labor and supported by Senator Gallagher even though she knows it will hurt Canberra even more than the rest of the country. And it will not just hurt here in Canberra—it will hurt all around the country whether it is in Sydney or Melbourne or Brisbane.

Let us look at some of those capitals where people, in order to get into those markets, have taken out very significant mortgages in the belief that we would not have such a reckless policy from a major party as we have seen from the Labor Party, in the belief that the policy settings that existed would continue and that they could expect reasonable growth on their purchase. It is difficult getting into the market and it always has been, but the Labor Party's policy is not about fixing housing affordability—it is about whacking every homeowner. I say to the Senate that those who will be most impacted by the Labor Party's reckless negative gearing policy are recent purchasers—those families who are servicing large mortgages in the outer suburbs, often as a result of poor land release policies by local Labor governments.

Putting that aside for the moment, they have those mortgages and now the Labor Party are saying to them and to every other homeowner, 'We want the value of your property to go down.' How much will the value of those properties go down? We do not know. The Grattan Institute, who support the policy, say it is up to 10 per cent. That is their starting gambit. That is a quote from the Grattan Institute. They say it is up to 10 per cent, and that is around the nation. In places like Canberra, where there is a greater reliance on investors, it may well be much more than that. The fact is the Labor Party are so reckless that they have not even bothered to do any modelling, but we know this: if you take that many buyers out of the market, renters will suffer and everyone's home values will go down. This is the Labor Party policy. I repeat in closing that Senator Gallagher has revealed the greater than usual impact on Canberra and the fact that she simply does not care.

Senator KETTER (Queensland) (15:23): Senator Seselja's comments illustrate the degree of panic and political chaos which exist within this government. I want to particularly emphasise the response from the Minister for Finance today in relation to my question on the issue of negative gearing. We can see that this is a government which does not want to look at the reality of the situation. My first question to Senator Cormann referred to the comments by the Treasurer. One would have thought that the Minister for Finance would be on the same page as the Treasurer in relation to the implications of negative gearing, given that Labor has been courageous in putting forward a policy that is fully funded and costed. It is a policy that breaks the mould of oppositions by addressing issues of inequality as well as the question of budget repair. We have been on the front foot. One would have thought that the Treasurer and the Finance Minister would be on the same page on this, but what Senator Cormann said in relation to the Treasurer's comments was, 'You can't believe everything that you read in the newspaper.' So, in effect, he was denying that the Treasurer had in fact made those comments about excesses in negative gearing. Senator Wong offered to table the Hansard which showed Mr Morrison's comments—not in the newspaper but in parliament. On 10 February, during question time, he was asked a question by the member for McMahon. He said:
What the member opposite is really inquiring into is whether there is any potential for things to be done in relation to that measure that can deal with the excesses that might occur in negative gearing. So it is quite clear that Mr Morrison has identified excesses. He has formed a conclusion about the fact that there is a potential for excesses in the existing negative-gearing policy, which many commentators believe is leading to a distortion in our taxation system.

Sensible commentators have referred to this fact. None other than the Reserve Bank of Australia has looked at this issue and, over the past 13 years or so, has been indicating that this is perhaps an area that the parliament needs to look at. No less than Mr Turnbull, then a backbencher, indicated in, I think, 2005 that Australia's negative-gearing regime was extremely generous. Most people concede that, around the world, our negative-gearing policy stands out as being an exception to the rule. We know that there are many other respected economists who applaud Labor's position in relation to this matter. We have put forward a thoughtful, considered policy initiative.

We know that the backbench on the other side are desperate because of the rudderless and leaderless position of their government in respect of economic matters. They are desperately looking for an opportunity and they see a political opportunity to differentiate themselves from the Labor position, so they are putting pressure on the government not to make changes to negative gearing, not for reasons as to the efficacy of negative gearing and not for reasons of fairness in our taxation system and what is right for the country. No. This is a poll-driven response and a short-term approach which is unbecoming. It is not the type of approach that one would expect from Mr Turnbull, who forswore using scare campaigns. He thought that his new brand of economic leadership was going to deliver a more enlightened approach in which ideas can be properly considered. That dream of an enlightened approach has been snuffed out in recent times. We have seen a panicked government. This is a government in total disarray.

Senator IAN MACDONALD (Queensland) (15:28): Every serious commentator and analyst has confirmed that, were Labor's policy on negative gearing put into place, demand for established properties would fall by about one-third. Perhaps Labor senators are not aware—perhaps they have other investments—but for most Australians their biggest investment is in their home. The Labor policy would reduce the investment of every single homeowner around Australia, and I am quite sure that Labor has not modelled or thought this through properly. I would like to see the 'fully costed, fully funded' analysis that Senator Ketter talked about, but I am sure that any examination of that would show that it is a figment of Labor's imagination.

On tax reform, when we consider the current government against those unfortunate times when we have had Labor governments, the contrast could not be starker. Most Australians simply do not trust Labor with money and economic policy. I often relate this story because people tend to forget this: I was in this parliament when the Labor Party were in government, and, before an election which the Labor Party thought they would lose, they introduced legislation to cut income tax and it passed with the support of the then opposition because we are all about reducing income tax for ordinary Australians. But, no sooner did Labor unexpectedly win that next election, the first piece of legislation that the newly elected Labor government brought in abolished, abandoned, repealed that legislation that had provided for
tax cuts. So why would any Australian ever trust anything the ALP said in relation to any form of tax reform or economic policy?

All Australians who are older than 20 would remember that the only tax cuts ever given by any government in recent history were those provided for by coalition governments, who introduced tax cuts in 1998, 2003, 2004, 2005, 2006 and 2007. What did you get from Labor, by contrast? You got a carbon tax, which Labor went to an election promising they would never introduce. Their first action when they got into power was to introduce a carbon tax, which put up the price of electricity and the general cost of living for ordinary Australians right around our country. Then they introduced a mining tax, remarkable only—being a typical Labor tax—that it cost a lot but raised absolutely no money.

If you look at the actions, the actual governance, of the Labor Party compared to those of the coalition over any period of time, you will understand that you simply cannot trust Labor with money, and this applies to their back-of-the-envelope proposal on negative gearing. I know that it was not well thought through. We all know that Senator Conroy devised his NBN program on the back of a beer coaster on a VIP flight somewhere over Australia. Perhaps the negative gearing policy was done by Mr Shorten, in desperation, in the same way as the NBN was—on the back of an envelope, without any serious understanding or thought about how it could impact on Australians. I say 'Australians' because most investors in negative gearing are ordinary people: policemen, nurses, firemen, tradesmen, civil servants and so on. These are the people that Labor are attacking in their approach to negative gearing. So I know that Australians will treat Labor as they always have: you can never trust Labor with money.

(Time expired)

Senator McALLISTER (New South Wales) (15:33): The Prime Minister was asked yesterday if he had a recommendation for young people who could not afford to buy a home. His response had 351 words but not a single recommendation. This, of course, is just one recommendation less than Mr Hockey, who once unhelpfully suggested that young people should just get a better job—in an economy over which the coalition has presided which has the highest unemployment rate in years. This kind of response is typical of the government's approach to tax more generally, as evidenced in the answers provided to questions on notice today—lots of wasted words but no ideas.

It has become apparent that the Liberal Party have absolutely no idea what they stand for on tax. Is there a problem with negative gearing, and what would that problem be? The Treasurer believes that there are 'excesses' of negative gearing in the current system, yet Senator Back, our colleague in this place, this morning on ABC radio said:

I don't see any reason at all to change the negative gearing processes …

We heard from the Minister for Finance that the government continues to work on plans to make the tax system more growth friendly. It is absolutely extraordinary; he refused in this debate to allow Senator Wong to table the Hansard in which the minister in the House of Representatives referred to those excesses. It is bad enough that, as has become apparent, in this government the left hand does not know what the right hand is doing, but in this place we have now seen evidence that they do not want to know what the right hand is doing. They certainly do not want evidence of what is happening in the House of Representatives tabled in this place for the information of senators.
On another question, will reforming negative gearing affect housing prices? The Assistant Treasurer has said that it is:

... a policy that is going to increase the cost of housing for all Australians—for those people who currently own a home and for those people who would like to get into the housing market through their negative gearing policy.

In contrast, the Prime Minister says it would 'smash' the residential housing market. The Minister representing the Prime Minister said today:

... the value of most Australians' homes would collapse.

Where is the evidence for any of these competing assertions? There is absolutely none. We might have had some evidence or some analysis on the table to allow the Australian people to have a conversation about this, had we had a tax white paper, but the promised tax white paper has not eventuated, and there is absolutely nothing on the table that would allow the Australian people to assess the propositions which are so confusingly being debated by those opposite amongst themselves.

Is there any intention to reform capital gains tax? Back in 2005, the now Prime Minister said that the capital gains tax discount was fuelling an 'asset bubble in residential real estate'. In question time on Monday, he said:

... increasing capital gains tax is no part of our thinking whatsoever.

Today he said the comment only referred to the capital gains tax discount where it applies to individuals.

When the Liberals talked about having a national debate, it seems that they just meant having the Prime Minister and his inconsistent positions debate themselves, having the ministers debate themselves and having the backbench debate the frontbench. It seems that the government has completely abandoned the idea of a national conversation on taxation. I was surprised that Senator Brandis brought it up today, because I would have thought that he would have been too embarrassed to even raise this idea.

We are seeing anything but grown-up government. We are seeing anything but a serious policy conversation in which the Australian people could meaningfully participate. It seems that when the Prime Minister was talking about being agile he actually meant being really quick at avoiding any chance to make a decision on policy, and when he was talking about being disruptive he was actually talking about the coalition backbench.

The only party that is having a sensible, serious, mature policy conversation about taxation in this country is the Labor Party. Last year we outlined costed, detailed plans to reform taxation on superannuation. We outlined our plans on negative gearing and capital gains tax earlier this year. But this government, after 2½ years in office, with all the resources of the Treasury and with all the resources of the Department of the Prime Minister and Cabinet—with all the resources of the entire bureaucracy—cannot get a policy announced.

Question agreed to.

**Defence Procurement**

**Senator LAMBIE** (Tasmania) (15:38): I move:

That the Senate take note of the answer given by the Minister for Defence (Senator Payne) to a question without notice asked by Senator Lambie today relating to the defence budget.
It has become clear, after listening to the Minister for Defence, that the only way Tasmanian businesses are going to be allowed fair access to the $450 billion worth of defence contracts detailed in our defence white paper is to become a marginal electorate. If Tasmanian businesses, pensioners, workers and families want a better deal from the federal government and want more than they are currently getting, when the pollsters ring or come knocking, they should tell them that they are voting for the JLN candidate. Even if they are not going to vote for the JLN candidate, they should tell the pollsters that they are going to anyway, because that will make the government and the Labor opposition promise to give Tasmania a better deal than we are actually receiving. It is a well-known fact of politics that safe electorates or states are always ignored by the major parties. The Liberal Party has for decades taken the political support of Tasmanians for their Senate candidates for granted, and Tasmanians have received the electoral equivalent of a kick in the guts for their loyalty to the Liberal Senate team.

I am very disappointed that the idea of a voluntary national service program for young Australians was dismissed during not only the minister's reply today but also my dinner with Prime Minister Turnbull at the Lodge. I always appreciate the opportunity to speak with Australia's top political leaders to try and get more for Tasmania. However, after my dinner discussions with the PM I was left underwhelmed by his attitude to my suggestion for an Australian Defence Force national service program for young Australians. On the day I had dinner with the Prime Minister, he launched a 10-year, $450 billion defence program. Nowhere in that program did he or his government have room for the revival of a voluntary national service program for young people which incorporates Defence apprenticeships and trade traineeships.

If we had politicians with vision, like we did in the past, we could build an Australia where our children had pathways in front of them where they could either earn, learn or serve. Under my plan they would not be allowed to just take unemployment benefits and do nothing. If a young person was offered a position in our military, which comes with free dental and medical care, and also received the opportunity to be trained in a skill or trade and they chose not to take that opportunity, then they would not be allowed to continue on the dole. That is why I should not have to make my national service mandatory for Australia's young people. The JLN has a policy of voluntary national service. You either earn, learn or serve and take the opportunity to contribute to Australia or you do not qualify for welfare payments.

In the past we had governments, both Labor and Liberal, who supported the training of approximately 30,000 Defence apprentices between 1948 and 1993. With youth unemployment so high and our kids, especially those in regional and rural areas, struggling to get that first job, why can't we revive a National Service, Trade and Apprenticeship Scheme, the NSTAS? It makes sense to support national service for young Australians which ensures that they come out of the military with real-world trade skills.

It is exciting for politicians to get their photos taken in the latest jet fighter, tank or ship. But the most important investment in our military is providing young Australians with skills that not only help to protect our nation in times of war but help our nation to thrive and flourish in times of peace. One of the reasons I am becoming a little grumpy with the corrupt crop of political leaders is that no-one has vision or is making decisions for our grandchildren. They care only about themselves and the next deal that will line their pockets in retirement.
Our nation is facing a trade skills shortage, which then justifies the government's decision to allow more and more foreign workers in on 457 visas. This ultimately is a sneaky and sly way of undermining Australian workers' pay and conditions.

In the short time left to me I would like to warn the Australian people about the Liberals' plan to get re-elected. The Liberals want to change the voting system and then game the voting system by running a just-vote-1 campaign. The Greens are the Liberals' enablers and accomplices. They intend to create as much chaos in this place and as much industrial unrest in broader Australian society as they can in order to justify a double dissolution election. The Liberal and National parties are prepared to bring the Australian economy to its knees, just as they did in their first horror budget, in order to obtain an electoral advantage. The joint committee hearings on Senate voting reform and the impressive evidence from people like Malcolm Mackerras prove that they want to change it and game it. That is all the Liberal Party wants. It is all for themselves. It is not all about Australia and its people. It is about the Liberal Party and the elite.

Question agreed to.

NOTICES
Presentation

Senator Williams to move:

That the following additional matters be referred to the Economics Legislation Committee as part of its inquiry into the implications of financial advice reforms:

(a) the need for further reform and improved oversight of the life insurance industry;
(b) whether entities are engaging in unethical practices to avoid meeting claims;
(c) whether a life insurance industry code of conduct is required;
(d) the role of the Australian Securities and Investments Commission in reform and oversight of the industry; and
(e) any related matters.

Attorney-General (Senator Brandis) to move:


Senators Moore and Gallagher to move:

That the Senate—

(a) notes that International Women’s Day will be observed on 8 March 2016;
(b) recognises that the day has its origins in the labour movement, and that 8 March was the date of the New York garment workers’ strike of 1908, in which women called for an end to sweatshops and child labour;
(c) acknowledges that International Women’s Day is a day to seek the need for further progress in advancing the political and economic welfare of women at home and across the world;
(d) recognises that:
   (i) violence against women and their children is preventable, and that gender inequality is the core of the problem and the heart of the solution,
   (ii) gender parity is linked to economic prosperity, and
(iii) increasing the numbers of women filling positions of leadership in Australian workplaces is a key part of addressing equal pay; and
(e) in marking International Women's Day, recommits to promoting gender equality, and to advancing the political and economic welfare of women, domestically and internationally.

**Senator Waters** to move:

That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 15 June 2016:

The rehabilitation of mining and resources projects, with regard to:
(a) the cost of outstanding rehabilitation obligations of currently operating projects;
(b) the adequacy of existing regulatory, policy and institutional arrangements to ensure adequate and timely rehabilitation;
(c) the adequacy and transparency of financial mechanisms, including assurances, bonds and funds, to ensure that mines are able to be rehabilitated without impacting on public finances;
(d) the effectiveness of current rehabilitation practices in safeguarding human health and repairing and avoiding environmental damage;
(e) the potential social, economic and environmental impacts of inadequate rehabilitation, including potential impacts on matters of national environmental significance under the *Environment Protection and Biodiversity Conservation Act 1999*;
(f) the potential social, economic and environmental benefits of adequate rehabilitation, including job opportunities and investment in communities affected by job losses in mining and resources;
(g) the impacts of the legacy of abandoned mines and resources projects around Australia, and the cost of rehabilitating those mines;
(h) international examples of effective rehabilitation policy and practice;
(i) proposals for reform of rehabilitation of mining and resources projects; and
(j) any other related matters.

**Senator Wong** to move:

That the Senate—

(a) notes that 2 March 2016 marks the 20th anniversary of the election of the Howard Government in 1996;
(b) recalls the record of the Howard Government, including:
   (i) dogs on the waterfront,
   (ii) the false claim that children of asylum seekers had been thrown overboard,
   (iii) committing Australia to the war in Iraq on a false premise,
   (iv) refusing to sign the Kyoto protocol,
   (v) regional rorts,
   (vi) wheat for weapons,
   (vii) the absence of economic reform,
   (viii) failing to support the transition of Australia to a republic,
   (ix) refusing to say sorry to Indigenous Australians for past wrongs,
   (x) its 10 point plan to amend native title legislation following the Wik decision,
   (xi) spending over $1 billion on government advertising,
   (xii) WorkChoices, and
(xiii) the erosion of decent standards in our public affairs; and
calls on all Australians not to forget the legacy of the Howard Government and its contribution to
civic policy in this country.

**Senator Collins** to move:
That that there be laid on the table by the Minister for Finance and the Special Minister of State, no
later than 9.30 am on Thursday, 3 March 2016:

(a) documents recording all communications with the Australian Electoral Commission (AEC) by:

(i) the Minister for Finance,
(ii) the Acting Special Minister of State,
(iii) the Special Minister of State, and
(iv) the Department of Finance;

relating to proposed changes to the Senate voting system, including the Commonwealth Electoral
Amendment Bill 2016, since 1 September 2015; and

(b) the minutes of all ‘round table’ meetings that have taken place in which the AEC participated.

**Senators Ludlam and Rhiannon** to move:
That the Senate—

(a) notes that:

(i) Mr Benjamin Gantz, former Israel Defence Force (IDF) Chief of General Staff, is currently in
Australia as a keynote speaker for United Israel Appeal events,

(ii) during his tenure as Chief of General Staff from 2011 to 2015, Mr Gantz led the IDF through
numerous military campaigns, including Operation Protective Edge in Gaza from July to August 2014,

(iii) according to the United Nations, Operation Protective Edge resulted in the deaths of over 2,000
Palestinians, most of whom were civilians, and destroyed over 19,000 homes, and

(iv) both the United Nations Independent Commission of Inquiry into the 2014 Gaza conflict, and
Amnesty International, have released reports pointing to the possible commission of war crimes by both
Israel and Palestinian armed groups; and

(b) calls on the Australian Government to:

(i) work for an end to Israel’s occupation of the Palestinian territories, and end the 8 year blockade of
Gaza,

(ii) halt military cooperation and military trade with Israel, and

(iii) communicate this position to Mr Gantz whilst he is in Australia, should he be issued a visa.

**Senator Rhiannon** to move:
That the following bill be introduced: A Bill for an Act to amend the Commonwealth Electoral Act
1918, and for related purposes. Commonwealth Electoral Amendment (Political Donations and Other
Measures) Bill 2016.

**Senator Siewert** to move:
That the Senate—

(a) recognises that:

(i) sharks play an important role as apex predators in marine ecosystems, and

(ii) world shark populations are falling by between 63 to 273 million per year due to fisheries
overexploitation;
(b) notes that the Australian Government has entered reservations against five shark species (big-eyed, pelagic and common thresher sharks, and scalloped and great hammerheads) under the Convention on the Conservation of Migratory Species of Wild Animals, removing those shark species from the full protection otherwise provided by the Environment Protection and Biodiversity Conservation Act 1999 (the Act); and

calls on the Australian Government to remove reservations for those five shark species, and to provide them full protection under the Act, by continuing to list Appendices I and II species on the Convention on Migratory Species as 'migratory species' under the Act.

Withdrawal

Senator HANSON-YOUNG (South Australia) (15:43): I withdraw general business notice of motion No. 1034 standing in my name for tomorrow.

BUSINESS

Leave of Absence

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:44): by leave—I move:

That leave of absence for personal reasons be granted to Senator Peris for today, 1 March 2016.

Question agreed to.

COMMITTEES

Community Affairs Legislation Committee

Legal and Constitutional Affairs References Committee

Reporting Date

The Clerk: Notifications of extensions of time for committees to report have been lodged in respect of the following:

Community Affairs Legislation Committee—2015-16 additional estimates—extended from 1 March to 6 April 2016

Legal and Constitutional Affairs References Committee—Commonwealth payments relating to asylum seeker boat turn backs—extended from 15 March to 22 June 2016

The DEPUTY PRESIDENT (15:45): Thank you, Clerk. I remind senators that the question may be put on any of those proposals at the request of any senator. There being none, we will move on.

BUSINESS

Consideration of Legislation

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (15:46): I ask that government business notice of motion No. 1, proposing the exemption of bills from the bills cut-off, be taken as formal.

The DEPUTY PRESIDENT: Is there any objection to this motion being taken as formal?

Senator WATERS: Yes.

The DEPUTY PRESIDENT: Formality has been denied. Are there any other formal motions?
Senator RYAN: I ask that government business notice of motion No. 2, proposing the exemption of the Commonwealth Electoral Amendment Bill 2016 from the bills cut-off order, be taken as formal.

The DEPUTY PRESIDENT: Is there any objection to this motion being taken as formal?

Senator WATERS: Yes.

The DEPUTY PRESIDENT: Formality is also denied for that.

MOTIONS

South Australian Automotive Industry

Senator SIMMS (South Australia) (15:47): I move:

That the Senate—

(a) acknowledges:

(i) That the South Australian automotive manufacturing industry has been an important part of the South Australian economy for over 50 years,

(ii) this difficult time for South Australian employees in the car manufacturing industry due to the scheduled closure of Holden's Elizabeth plant, and

(iii) that globally, electric car manufacturing is one of the fastest growing industries in the world; and

(b) calls on the Government to:

(i) develop a strategy to support South Australian workers as they transition into new jobs due to the closure of Holden's Elizabeth plant, and

(ii) refocus automotive industry assistance to encourage new manufacturing investment, including in the manufacture of electric and other non-fossil fuel powered vehicles.

Notice of motion altered on 29 February 2016 pursuant to standing order 77.

Question agreed to.

Tibet

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (15:47): I ask that general business notice of motion No. 1054, relating to the Tibetan plateau, be taken as a formal motion.

The DEPUTY PRESIDENT: Is there any objection to this motion being taken as formal?

Senator Ryan: Yes.

The DEPUTY PRESIDENT: Formality has been denied.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator RYAN: I thank the chamber. Sensitive foreign policy matters should not be dealt with through Senate motions. Individual members or senators may have personal views but they should not be adopted as the formal position of the Australian Senate. The Australian government recognises the Chinese government's efforts to provide economic development in Tibet and to preserve the Tibetan grasslands. We also welcome China's ongoing commitment to address climate change and its constructive role at last year's COP 21 climate negotiations. Nomadic communities in Tibet have a unique culture and way of life that should be respected.
and preserved. We encourage China to consult with communities about any process of relocation and recommend authorities take measures to ensure that adequate alternative means of livelihood are available.

North Stradbrooke Island

Senator LINDGREN (Queensland) (15:48): I seek leave to amend general business notice of motion No. 1051.

Leave granted.

Senator LINDGREN: I move the motion as amended:

(a) notes that:

(i) the Queensland Government’s North Stradbrooke Island Protection and Sustainability Bill 2015 will phase out sand mining by 2019,

(ii) there is a commitment from the North Stradbrooke Island community to address future gaps and challenges by utilising mining forward estimate contributions that could be injected into supporting the local economy,

(iii) a strategy of ecotourism cannot replace the economic disadvantage that will befall the unprepared community, and

(iv) the Australian Workers’ Union has labelled the phase out of sand mining on the island by 2019 as ‘a kick in the guts’ for hundreds of workers living on the island and in the bayside communities; and

(b) calls on the Queensland Government to extend the mining lease to be compatible with the Council of Australian Governments ‘Closing the Gap’ agenda.

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (15:49): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator WATERS: Stradbroke Island is an incredibly ecologically sensitive sand island in the middle of a Ramsar site that is an internationally significant wetland, and sand mining has been documented to be destroying the delicate dune systems and hydrology. This motion, sadly, misrepresents the local Quandamooka Yoolooburrabee people, who have in fact launched a High Court challenge to the extension of the Belgian sand mining company's, Sibelco's, mining lease, which was granted by then Premier Newman. So I am afraid that the substance of this motion is inaccurate, and in fact the traditional owners are not supportive of the extension of sand mining on this delicate island. Tourism, conservation and sustainable local enterprise is the clear future for Stradbroke Island, and that is what we Greens will be supporting the local mob to do.

The DEPUTY PRESIDENT: The question is that general business notice of motion No. 1051 as amended be agreed to.

The Senate divided. [15:54]

(The Deputy President—Senator Marshall)

Ayes ....................29
Noes ....................31
Majority ...............2

AYES

Abetz, E Back, CJ
I move:

That the Senate—

(a) notes that:

(i) from 1 March 2016, Australians will have access to a new generation of medicines for the treatment of chronic hepatitis C infection in adults,

(ii) more than 230,000 Australians are currently living with hepatitis C, and each year about 700 deaths are attributable to chronic hepatitis C infection,

(iii) around 10,000 Australians are diagnosed with hepatitis C each year, and

(iv) less than two per cent of Australian patients currently seek treatment for the deadly and debilitating disease;

Question negatived.

Hepatitis C

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (15:57): I move:

That the Senate—

(a) notes that:

(i) from 1 March 2016, Australians will have access to a new generation of medicines for the treatment of chronic hepatitis C infection in adults,

(ii) more than 230,000 Australians are currently living with hepatitis C, and each year about 700 deaths are attributable to chronic hepatitis C infection,

(iii) around 10,000 Australians are diagnosed with hepatitis C each year, and

(iv) less than two per cent of Australian patients currently seek treatment for the deadly and debilitating disease;
(b) recognises the Federal Government is investing more than $1 billion to make the new treatments available on the Pharmaceutical Benefits Scheme from 1 March 2016;
(c) acknowledges the breakthrough cures could all but eradicate hepatitis C within a generation; and
(d) commends the Government, the Department of Health, the Pharmaceutical Benefits Advisory Committee, Hepatitis Australia, physicians, patients and all those who have worked tirelessly to ensure the broadest possible access to these new medicines.

Question agreed to.

Donations to Political Parties

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:57): At the request of Senator Collins, I move:

That the Senate supports the following reforms to the regulation of political donations:
(a) a donation disclosure threshold of $1,000;
(b) a ban on overseas donations;
(c) a $50 cap on anonymous donations; and
(d) action to prevent donation splitting that avoids disclosure obligations.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator RYAN: The government does not support this motion. Labor had six years to change the political donations disclosure threshold yet decided not to. Clearly, someone in the Labor Party now believes a lower threshold will somehow be politically beneficial. A lower threshold will not change the fact that the Labor Party is a subsidiary of the union movement and in the last 10 years union contributions to the Labor Party have been over $98 million. Labor would be better to focus their efforts on complying with the current rules rather than trying to change them. A new threshold makes no difference when not complied with. We were all made aware of the Leader of the Opposition having trouble declaring a donation to his election campaign in 2007 and doing so late. The current arrangements reflect the appropriate balance been transparency and enabling Australians to participate in the political process.

Question agreed to.

Canberra Airport

Senator RHIANNON (New South Wales) (15:59): I move:

That the Senate—

(a) notes that:

(i) Canberra Airport currently displays large and prominent advertisements by some of the world's biggest weapons manufacturers,

(ii) weapons of war are inappropriate images to greet visitors to our national capital, especially with direct international flights to Canberra to begin later in 2016, and

(iii) Canberra and Australia should be identified to visitors as places of unique historical, natural and cultural attractions, and not as primarily concerned with war machinery;

(b) congratulates the more than 1,500 citizens from Canberra and elsewhere who have petitioned Canberra Airport Management to remove the weapons advertisements; and
(c) supports their campaign to remove the weapons advertisements.


The DEPUTY PRESIDENT: Leave is granted for a short statement.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (15:59): The coalition opposes this motion. We believe in supporting a strong and sustainable defence industry. Rather than launching attacks on the legitimate advertising activities of businesses, the Greens might take the time to examine the opportunity for defence industry from the defence white paper and what it means for jobs and economic activity in Australia as well as our security. Alongside the 2016 Defence White Paper, the Turnbull government’s new defence industry policy statement will build the partnership between Defence and industry so that we can deliver and support the ambitious defence capability plan set out in the white paper. It will also offer greater industry opportunities to build their innovation, productivity and international competitiveness as we deliver a more capable, agile and potent Australian Defence Force.

The DEPUTY PRESIDENT: The question is that general business notice of motion No. 1055 be agreed to.

The Senate divided. [16:04]

(The Deputy President—Senator Marshall)

Ayes ...................... 10
Noes ...................... 43
Majority ................. 33

AYES

Di Natale, R
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Waters, LJ

Hanson-Young, SC
McKim, NJ
Rice, J
Simms, RA
Whish-Wilson, PS

NOES

Abetz, E
Bernardi, C
Brown, CL
Bushby, DC
Cash, MC
Dastyari, S
Edwards, S
Fierravanti-Wells, C
Gallagher, KR
Ketter, CR
Lazarus, GP
Lines, S
Macdonald, ID
McAllister, J
McKenzie, B
Moore, CM

Back, CJ
Birmingham, SJ
Bullock, JW
Cameron, DN
Collins, JMA
Day, RJ
Fawcett, DJ
Gallacher, AM
Heffernan, W
Lambie, J
Lindgren, JM
Ludwig, JW
Madigan, JJ
McEwen, A (teller)
McLucas, J
Muir, R
Senator DI NATALE (Victoria—Leader of the Australian Greens) (16:07): I move:

That the following bills be introduced:

A Bill for an Act to amend certain territory legislation to restore legislative powers concerning euthanasia and to repeal the Euthanasia Laws Act 1997, and for related purposes.

Question agreed to.

Senator DI NATALE: 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 DI NATALE (Victoria—Leader of the Australian Greens) (16:08): 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—

This is a Bill for an Act to restore the rights of the Northern Territory, Australian Capital Territory and Norfolk Island Legislative Assemblies to make laws for the peace, order and good governance of their respective territories, including their right to legislate for dying with dignity laws.

The Bill repeals the Euthanasia Laws Act 1997, through which the national parliament overturned this right, and specifically, the Northern Territory’s Rights of the Terminally Ill Act 1995.

In 1995, the Parliament of the Northern Territory passed a law which reflected not only the will of Northern Territorians, but also the strongly held views of the majority of all Australians. Every opinion poll conducted over the last two decades has shown that approximately three-quarters of Australians support the concept of dying with dignity. A poll conducted by The Australia Institute in November 2012 found that 71 per cent of Australians support the legalisation of dying with dignity for people experiencing unbelievable and incurable physical and/or mental suffering and that only 12 percent opposed. The survey also found that of those Australians who support dying with dignity laws, 85 per cent also believe that terminally ill patients should have the option of choosing when they die.

Previous research has found that 22 percent of respondents nationally have had a personal experience of a close relative or friend being hopelessly ill and wanting voluntary euthanasia. It has been...
consistently reported that each year hundreds of terminally ill people are assisted to an early and dignified death by compassionate medical professionals. This is an issue of great importance to many Australians and therefore all Australians should have, at the very least, the right to elect representatives to debate and make laws on this subject.

In 1995, the Northern Territory Assembly led the way in Australia by giving its citizens the option to end their suffering with dignity and medical support. In 1997, the Federal Parliament removed that right. This Bill will redress that action and restore the legislative rights of the governments of the Northern Territory, the Australian Capital Territory and Norfolk Island to make decisions that both affect their citizens and reflect their views and concerns. In so doing, it reflects the heartfelt views of the majority of Australians on this important issue.

In 2011, the Parliament passed the Territories Self-Government Legislation Amendment (Disallowance and Amendment of Laws) Act 2011, introduced by the Australian Greens, which removed the power of the Federal executive to overturn legislation enacted by the Legislative Assemblies of the Territories. This Bill further enhances the rights of Australian citizens in the Australian Capital Territory, Northern Territory and Norfolk Island to make legislation on those matters of importance to them without undue interference from the Federal government.

In particular, it should be noted that this Bill does not restore the Northern Territory's Rights of the Terminally Ill Act 1995. It does, however, restore the rights of the Northern Territory legislature to make laws about voluntary euthanasia in the future.

We commend the bill to the Senate.

Senator DI NATALE: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MATTERS OF PUBLIC IMPORTANCE

Election of Senators

The DEPUTY PRESIDENT (16:09): I inform the Senate that, at 8.30 am today, two senators each submitted letters in accordance with standing order 75. Senator Moore proposed a matter of urgency, and Senator Day proposed a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate that the following letter has been received from Senator Day:

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

The contradictions between the Liberal, National, Greens Party and Nick Xenophon's policies, and their voting records and the co-operation on radical electoral changes.

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 clocks accordingly.

Senator DAY (South Australia) (16:10): I draw the Senate's attention today to the deal between the Liberals, Greens and Nick Xenophon on Senate voting legislation. The Liberals support the Trans-Pacific Partnership, the nuclear fuel cycle, bringing back the ABCC and reviewing gay promotion programs in schools. They repealed the carbon tax, sought to abolish the Clean Energy Finance Corporation and agreed to create a wind farm
commissioner. They also changed border protection laws and stopped the boats. The Greens voted against every one of these. The crossbench supported them. The latest data on divisions in this parliament show that the Greens vote with the government just six per cent of the time. Every other crossbencher has a superior record of supporting legislation. What policy compromises will the Liberals and the Greens make once the Greens are locked into the balance of power? Not only was this voting deal the mother of all backroom deals but, given the Greens senators he will lose in a double dissolution election, was it also the mother of all captain's calls by Senator Di Natale? How can the Nationals, of all people, be party to locking the Greens into the balance of power, given how the Greens oppose trade deals, live exports and mining? None of this makes sense and will inevitably end in tears.

Senator REYNOLDS (Western Australia) (16:12): I too rise today to speak on Senator Day's matter of public importance. Oh, what irony it is to hear crossbench senators criticising others in this place for working together on important national legislation which includes bipartisan reforms that have been in the public arena now for nearly two full years. There is no-one in this place more aware of the imperfections of our Senate voting system and the AEC's processes that underpin it than myself. I have had to contest two Senate elections within seven months because of these imperfections. They must be fixed so not only other candidates and other parties but Australian voters do not have to go through those processes again.

Just what are the reforms that those opposite are so vehemently against now? When you strip away all of the overblown, misleading and, quite frankly, insulting rhetoric, these reforms are simply about returning control of voting back to voters and away from backroom operators. It is simply about democracy. Having participated in today's Joint Standing Committee on Electoral Matters inquiry into this bill, I am even more convinced of the merits of it and also the necessity for it. I remind Senators in this place that these reforms have been outlined in the public arena for two years. This is enough time, as the AEC confirmed today, for them to have undertaken preparations, or in their language, 'contingency planning', for these exact reforms to be implemented. In fact, the AEC confirmed today that they have been fully engaged and have participated in the drafting of the bill by the Office of Parliamentary Counsel. Nearly two years ago, a bipartisan report found that our current system is profoundly undemocratic and requires urgent reform. The report made several recommendations that were suggested and endorsed by Labor at the time. This was not even two years ago.

Let's take the temperature down a few degrees on the debate, strip away the rhetoric and just simply look at the facts. Let's first take a look at Labor's position on this issue. Two years ago the ALP's submission to the Joint Standing Committee on Electoral Matters inquiry into the 2013 election was unambiguous. George Wright, the ALP's National Secretary then and now, was very, very clear on both the problems and the recommended solutions. So what did Labor say then about the problems and the solutions? I will quote them. Mr Wright, the National Secretary of the Labor Party, said that:

The election of senators who attract only a very low primary vote and rely principally on preference arrangements to get elected do not reflect genuine voter intention and need to be addressed …

He also said that the current system enables candidates whose objective is to game the system to achieve results that do not reflect the intention of voters. That is absolutely unambiguous
and that was the Labor Party's position two years ago—that we have a profoundly undemocratic Senate voting system.

What was the ALP's solution two years ago to fix the serious problems that the Labor Party, the Liberal Party, the National Party and the Greens on a bipartisan basis agreed existed? They recommended optional preferential voting above the line as a means to improving the integrity of the Senate voting system. Guess what? Labor also recommended that that be done in conjunction with the abolition of group-voting tickets. That is exactly the recommendation in the report that was issued two years ago by the committee and which is now reflected in the bill before us today. On an issue that Labor felt so strongly about two years ago, what alternatives have the Labor Party put forward in the past two years as they so clearly do not agree with their past position anymore? Astoundingly, if you get rid of all of the rhetoric, hyperbole and vitriol that they have directed mostly towards the Greens and us, they have absolutely not a single alternative.

In fact, as late as last month Gary Gray, a highly respected ALP MP and former national secretary, said:

It would be a travesty for Australian democracy if these careful and thought-through reforms were not in place in time for the next federal election.

Mr Gary Gray is echoing the exact words of George Wright, the current and at the time of the review two years ago ALP National Secretary. Astonishingly, despite some in the ALP having clearly had a complete change of position on this critically important issue, they have failed to oppose any alternatives or amendments in two years—not a single one. Instead, they are now relying on this overblown vitriol and, as I said, hyperbole. I see the Labor Party on this issue at the moment as akin to ostriches, with their heads in the sand for the past two years, hoping no-one would see they had their heads in the sand and would raise the issue with them and make them make a decision to stick with their position two years ago. Guess what? They have been called out.

Today, at the hearing on these reforms, the Labor Party that is so against these reforms declined to appear. The national secretary had absolutely nothing to say in writing and declined to appear to talk to the committee in person. Even more incredibly, Senator Conroy, the chief prosecutor of the ALP's new case, ran out of questions and ceded his time to other senators. The only conclusion I could come to after attending the hearing today was that the party's position on this problem is as it stood in the Labor Party's submission two years ago.

Also at today's inquiry Mr Glenn Druery, the so-called preference whisperer, demonstrated to us all just how undemocratic the process is today and how the process is being shamefully abused. Mr Druery opined that, 'Minor parties should work together, in my opinion, before they deal with major parties.' He said nothing about working together on principle, philosophy or the best interests of Australians. So what other conclusion can one come to but that Mr Druery's focus is all on power and the manipulation of voters' preferences to enable microparties to game the system without regard for what voters actually want? He confirmed that opinion for me in response to one of my questions. He also confirmed that, while he has advised over 100 microparties—he cannot even remember how many he has advised—he did not see it as his role in giving that advice to ensure that parties' names matched their policies or, indeed, that they had any policies at all. He confirmed that it was not his role to take into account the will of the voter. It is absolutely shameful. If that does not demonstrate to all in
this chamber why we need to urgently reform our Senate voting system I do not think anything well.

Ultimately support of this bill comes down to a simple choice: do we place trust in Australians to direct their own preferences and trust that they are capable of exercising this right? On this side of the chamber, we believe they do. These reforms will ensure voters have the choice to direct where their preferences go and who gets elected with their preferences regardless of whether they choose to vote for parties above the line or individual candidates below the line. They will have a choice to exercise their preference—by voting either for parties or for individual candidates.

I would like to conclude with a quote from the well-respected electoral commentator and psephologist Adjunct Professor Antony Green, who said in his submission to the joint standing committee that:

My overall view is the legislation is on the right path in transferring the power over preferences from parties to voters.

It is quite simple. The measures in this bill had bipartisan support but they now do not. We have no explanation from those opposite and no alternatives to fixing this system. And time, as we heard from the AEC, is running out to actually implement reforms before the next election.

In conclusion, I say to those who now argue against voters taking back control of their own vote—that is, the most basic democratic principle in our country—it is time for you to by a new pair of shoes with some great rubber soles on them. Get out of the backroom where you have been making deals. Get out into the fresh air. Talk to voters. Have policies. Do it the old-fashioned way. Get out and convince people to vote for your party instead of relying on these grubby, dirty backroom deals. Get out and engage with voters and stand for something, instead of being one of these 100 parties— (Time expired)

Senator CAROL BROWN (Tasmania) (16:22): For a moment there, when Senator Reynolds talked about 'putting our shoes on', I thought she was going to announce a double-D date, but, unfortunately, that did not happen. Before I start my contribution on this matter of public importance, submitted by Senator Day, about the contradictions between the Liberals, the Nationals, the Greens and Senator Xenophon's policies and voting records and their cooperation on radical electoral changes, I want to talk a little more about the contribution by Senator Reynolds. First of all, she talked about the fact that there was a Joint Standing Committee on Electoral Matters report with recommendations about changes to the electoral system. She is quite right. That was a number of years ago and nothing happened at all. She talked about the fact that preference dealing is done by backroom operators. That is quite laughable when you come to realise that the very bill we will be dealing with in this place in the days to come has been created in a backroom deal by Senator Xenophon, the Greens and the coalition. It is just laughable to come in here and talk about backroom deals when Senator Reynolds has been a part of one done on this bill.

At the inquiry that was held today into this bill, the Australian Electoral Commission said they had been in discussions about the bill. I stand to be corrected, but my memory of the evidence that was given today in the inquiry was that the AEC said they had been in discussions about the proposed legislation from 11 February 2016—not years ago. This bill does not include the recommendations from JSCEM. The government have picked out bits
and pieces, cherry-picking what they want, and the rest is left out. They have chosen bits that will help them with their Senate representation in this place and they have left other bits out—including some very important parts of the JSCEM report.

It is also important to realise that the Turnbull-Greens deal, as I have been saying, is not in line with the JSCEM recommendations. To come in here and suggest that somehow it is, and to suggest that the inquiry we had this morning was about transparency and scrutiny, really beggars belief, because that is not the case—and the coalition do not think that it is. They will stand up in here and say, 'Yes, there was a JSCEM report.' They will not say it is not the actual JSCEM report that is reflected in the bill. They will talk about transparency and scrutiny. They know there has been no transparency or scrutiny and they know it is all about a backroom deal done with the Australian Greens—I assume through their representative, Senator Rhiannon—and with Senator Xenophon. The fact is that the AEC were unable to answer a number of questions that were put to them at this morning's inquiry, and the coalition has refused to put the Department of Finance forward to answer some of these questions.

The matter of public importance that we are discussing states:
The contradictions between Liberal, National, Greens Party and Nick Xenophon's policies and voting records, and their co-operation on radical electoral changes.

When we look at the matter before us, it is no understatement to say that this is a strange group of bedfellows. Surely, those who are listening to this discussion or are present today and support the Greens must be left wondering. If Senator Di Natale's Greens are willing to support the government on this, what else will they do a deal with the Liberals on? Surely, the Nationals voters are equally concerned about what the Liberals might be willing to trade away to secure the Greens' support going forward. We know that these strange bedfellows have had very divergent policies and agendas on a number of issues, but, surely, now we must wonder what any of them stand for. Their actions in this matter suggest that they stand for little but their own political interest—because, in this case, it is not what distinguishes these strange bedfellows but what unites them that defines them. What unites them on the issue of Senate voting reforms is political convenience. The deal that the government has struck with the Greens and Senator Xenophon has nothing to do with principles and policies and everything to do with power and political expediency.

The real test of what the Greens and Senator Xenophon stand for will not be their voting records but rather how they vote on amendments that Labor proposes to make to the voting reform bill to enhance transparency around political donations. A few minutes ago, the following motion was moved in this chamber at the request of my colleague Senator Collins:

That the Senate supports the following reforms to the regulation of political donations:
(a) a donation disclosure threshold of $1,000;
(b) a ban on overseas donations;
(c) a $50 cap on anonymous donations; and
(d) action to prevent donation splitting that avoids disclosure obligations.

Regardless of what Senator Ryan said in his short statement to the chamber, disclosure amendments put forward have always been opposed by the coalition. It will be interesting to see what the Greens and Senator Xenophon will be doing on these amendments, because, as I
understand it—and I can stand corrected—supposedly it is the policy of the Greens and Senator Xenophon to lower thresholds, ban overseas donations, cap anonymous donations and deal with donation splitting. Of course, that would result in a more transparent electoral donations system—something that is actually good for our democracy. It is real reform, not the product of a backroom deal. Labor will move to reduce the donations disclosure threshold, as I have said. We will also move amendments to cover those tasks that arise from the motion moved by Senator Collins.

Senator O'Sullivan: Are you going to stop taking money from the unions?

Senator McGrath: Yes, what about the unions?

Senator CAROL BROWN: Come in spinner—I mean, really! Talk about some transparency in donations: no, they are not interested in that. Already they have got their hackles up. They do not like it. They do not like people talking about it. It will be interesting to see whether the Greens and Senator Xenophon support these reforms. But, from what I have seen so far when we have been talking about the Senate voting bill, I cannot say I have much faith in this actually happening. It has become blatantly obvious that what the Greens say they stand for—what they espouse with great theatrics in this place—and what they actually do are not always the same thing.

A perfect example of this is the complete disregard for the committee processes that we have seen in the conduct of the inquiry into the Senate voting reform bill. The Greens and the coalition joined together to ensure that there was no real transparency and that there was no real scrutiny of the bill. As I said earlier in my contribution on the bill, we have heard each of the Greens speak at length about Senate committees and their importance to Senate processes. However, we have now seen that the Greens are more than happy to completely do away with real legislative scrutiny and review in order to ram these changes through this place. I highlighted earlier what an absolute farce this inquiry process has been. The laws that determine how representatives are elected to the national parliament should not be cooked up behind closed doors and rammed through the parliament in just a matter of days. (Time expired)

Senator SIMMS (South Australia) (16:32): I welcome the opportunity to speak on this matter. I start by recognising the work of my colleague Senator Lee Rhiannon, who has been pushing this issue for many years. This is a once-in-a-lifetime opportunity to finally reform our voting system in this country and ensure that the will of the Australian community is reflected in election outcomes. Of course, the Greens have been leading this debate over many, many years. It was Senator Bob Brown who first put this on the agenda 12 years ago, and now we are finally at the point where we may see action on this issue—and that is a good thing for democracy in this country.

The thing that I find absolutely bizarre about the arguments we have heard in this place is the complete and utter inconsistency in the kind of scare campaigns that are being run by the Labor Party on this issue. Let's face it: these are the kinds of pathetic scare campaigns that would make Tony Abbott blush. They are completely and utterly inconsistent. Senator Conroy last week said that this is all about putting Greens bums on seats. We had Senator Brown say that this is about self-interest and power for the Greens. Senator Penny Wong, the Leader of the Opposition in the Senate, was quoted in the Adelaide Advertiser as saying that the Greens will in fact suffer as a result of these changes and may well lose seats. So
apparently it is some kind of self-interested ploy that will also end up dudding us at the ballot box.

Let me make one thing very clear—and this will be a shock to the Labor Party, because I know that is not the model of politics they work with—this is not about self-interest or trying to achieve a particular election outcome. It is not about that. This is about doing the right thing and it is about ensuring that we have an election system that reflects the will of the people. It is a fundamental tenet of any democracy that the election outcome should reflect the will of the people. Let us be honest: the reason the Australian Labor Party keep fanning this ridiculous scare campaign about this issue is that they do not want to smash the business model of the faceless men they rely on for their seats in this place. They have talked a lot about backroom deals. Well, the only backroom deals they are really concerned about protecting are the backroom deals that get them into the Senate. They are scared of the Australian people and they realise they do not have the policies in place or the rigor in their ideological position to prosecute an effective case to the Australian people, so they want to protect these pathetic backroom deals.

There is a suggestion that the discussion around these issues is under some kind of veil of secrecy, when we have had debates in the lower house, debates here in the Senate, the JSCEM report and a long discussion in our community over many years—as I say, Senator Brown put this on the agenda 12 years ago. The suggestion that somehow this is being done under a cloak of secrecy is really absolutely ridiculous. Give us a break!

I talked about the inconsistent nature of the scare campaigns the Labor Party have been running: we win some seats, we lose some seats; on the one hand it is about self-interest and on the other hand it is electoral suicide. They cannot make up their minds about the implications of this reform. Also, up until very recently, the Labor Party were supportive of this change. I saw Gary Gray quoted in the media as saying that it would be very sad to see these reforms scuttled. Well, he must be pretty disappointed about the party that he is leaving behind and the ridiculous and embarrassing scare campaigns they are running against a once-in-a-generation opportunity to reform our Senate voting system and finally ensure that the will of the Australian people is reflected at the ballot box. It is an important principle. It is a principle that we have been advocating for many years in this place and it is a principle that I, as a member of the Greens, am very proud to support.

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (16:37): At the outset I want to say that it is not often that you will find me assisting the Australian Labor Party with their debate on an issue. It is interesting to see that Senator Brown was sent into the chamber to lead the charge. Our quartet of the Cs of the party—the Conroys, the Collins, the Carrs and the Camerons—are too embarrassed to tell the truth, the whole truth and nothing but the truth about the elevation and the evolution of these reforms. It is good to see Senator Wong in the chamber, but she has been sent in because of their embarrassment. I am here to help them.

Firstly, let's debunk a few things about the undue haste involved with the journey that has led us to this very important bill to introduce transparency.

Senator Lines: It's not a journey—it's a dirty deal.
Senator O’SULLIVAN: This journey started in 2013; the journey started before I arrived in this place and I am about to have my second birthday. The journey involved tens of hours of hearings all over the country, open to anybody who wanted to make a contribution. In fact, 216 Australian individuals and organisations made detailed contributions to this question about the effects of the last federal election. It goes all the way back to May 2013. Were the Labor Party excluded from this? No, they were not. In fact, three of their biggest guns—the Hon. Senator Faulkner, Gary Gray and Alan Griffin from that other place—had been intrinsically involved in this due process for over two years. I was on this committee as a voting member; I sat through all the hearings up until all the recommendations went to government. I might say that these three gentlemen made a fine and thoughtful contribution, but let’s not worry about them. There have been mass executions in this place in the last 72 hours—there have been heads rolling in the hallways and people have been expunged from the committee after 2½ years. They have been completely annihilated. It would not surprise me to see their names rubbed off the parliamentary website if Labor gets the chance.

Let’s have a look at what the Labor Party’s own contribution, which led to the unanimous report that was brought down in this place and that underpins the legislation we are about to debate. This contribution was made by none other than George Wright, who was at the time of the contribution the National Secretary of the Australian Labor Party. Over the last couple of days we have heard Senator Conroy suggest that Gary Gray was toddling around not reflecting the position of the Australian Labor Party and we have heard reflections on Senator Faulkner today. For goodness sake, the Labor Party is turning on Senator Faulkner—devouring a senator who has left this place and is not in a position to defend his contribution to these evolutionary changes. I am certain if he were here he would not be shut down by this current ALP machinery in the Senate.

Let’s go to the contribution from the ALP national secretariat—this is not a piece of paper which fell off a truck; this is a public document which can be found in the ALP’s submission to the inquiry. It was this opposition’s contribution to the evolution of what we now know as the Commonwealth Electoral Amendment Bill 2016. They make the point:

The ALP has consistently supported the maximisation of the franchise and the election of representatives that reflect the true intention of the voters.

That goes to the heart of the contribution that they have made over the last 2 ½ years or almost 3 years. It continues:

Following the 2013 federal election ALP is supportive of the JSCEM investigating the system of Senate elections.

So they are supportive of it. This document is dated 24 April 2014—we are well into the inquiry by this time, where a lot of evidence has been taken and many submissions considered. They had the whole body of evidence, but here is my favourite bit:

While not wishing to discourage genuine and new participants in the democratic process, it is clear that the current requirements around party registration and nomination are not proving a sufficient filter to discourage or eliminate those candidates whose objective is to game the current system—

To game the current system!—

and achieve Senate results which do not reflect the true intentions of the voters.
There are two clear words in there—the word 'game', to remain faithful to the document, and the word 'clear'.

They did not use the word 'ambiguous' or 'vague' or 'unclear' or 'abstruse' or 'equivocal' or 'uncertain', 'indefinite', 'confusing', 'indistinct', 'hazy', 'woolly', 'perplexing', 'baffling', 'mystifying', 'bewildering', 'bemusing', 'befuddling' or 'complicated'—they used the word 'clear', C-L-E-A-R. 'Clear' is normally associated with the word transparency, which is what this document is all about. This bill is all about introducing complete transparency, to the best of our ability, for those folk voting to choose who might represent them in this place, particularly in the Senate. Why would anyone not want complete transparency? I will invent some parties so that I do not offend any party—it is not directed at anyone. No, let me offend someone. If someone was voting for the anti marijuana party, what would they think if their vote went through four or five or six or seven sets of grubby hands only to settle on the pro marijuana party, leaving the power of their vote in a place that they would find abhorrent, in a place that was the exact opposite of their intention when they put pen to paper? That is exactly what happens.

The argument has been put forward that these minor parties need to do these deals so that they can get together and bring some, I suppose, Independents, some points of difference, to this chamber. But to do that ought they not take the time to consider the matter properly? All of the evidence we have heard suggests that this did not happen—they have taken this chattel, the property of the voter, but did they consult the voter? Did they even make some attempt to determine where the voter might be comfortable with their preference going? No, they did not. This is just a simple game of political monopoly—nothing more, nothing less. The value of the vote—this most important chattel, this constitutional right—has been traded off through six or seven hands. It looks like the wrong end of a school lunch, with all the paper crumpled up and greasy and no one knows who has had their hands on it. It eventually puts someone in this place who was not in the mind of the voter, but they arrive here with the fuel of that vote in their tank.

There are so many parts of the latest submission that I would like to read, but of course I do not have the time. I want to leave everyone with the same thought: clear and transparent. That is what they wanted when they accepted the unanimous bipartisan report and now for some reason, almost overnight, we now find them taking the opposite position. It is hypocrisy on steroids. *(Time expired)*

**Senator LINES (Western Australia) (16:47):** You can put lipstick on a pig, but it is still a pig. What we hear from the LNP government and their new coalition partner, the Greens, is all about putting lipstick on the pig. The reality is they did a grubby deal. Some, but only some, of what Senator O'Sullivan has said—I love the way they have to quote Labor; they have no idea—is true. Most of what he said was absolutely inaccurate, and he put his own little National Party spin on things. The reality is that Labor worked very hard on the committee, because we want to see good electoral reform.

**Senator O'Sullivan:** A unanimous report.

**Senator LINES:** Yes it was a unanimous report but that is not reflected in the bill that the Liberals, the Nationals, the Greens and Senator Xenophon want to bring into this place. It does not reflect that deal. How dare Senator O'Sullivan try to speak for Labor, how dare he try to put words into our mouths. The Greens and the LNP will not tell you about the grubby little
deal that has been done behind closed doors, and that deal does not reflect the hard work that
Labor put in, yes, to get a consensus report because we do believe in electoral reform. So let
us get the truth out there.

Earlier today I heard Senator Reynolds say that this will get rid of grubby little deals. I do
not know where she has been but what was done between the Greens and Senator Xenophon
and the LNP was a grubby little deal—it was a grubby little deal and there is no getting away
from that. Obviously the Greens have just rolled over—we have seen their inept negotiation
before in this place when they have done other grubby little deals with the LNP. They come in
here with a matter of public importance about electoral reform when presumably they had the
government there, the government needed their agreement to get this grubby electoral reform
through, and they did not even raise the issue—or, if they did raise it, they were such poor
negotiators that they were not able to get electoral reform through in relation to political
donations. Yet they come in here and try to imagine they are pure.

What about the Clean Energy Finance Corporation that they say they stand for? The LNP
have told us over and over again—maybe the Greens were not listening but the LNP have
made it crystal clear to Labor—that the Clean Energy Finance Corporation is something they
want to get rid of. In fact, they confirmed that not so long ago in answer to questions we
asked them. It is still their intention to get rid of the Clean Energy Finance Corporation. What
about the workers that the Greens pretend to be representing? The government has made it
very clear—they made it clear this morning in the media—that the re-establishment of the
ABCC is absolutely on their agenda. That is the grubby deal the Greens have done. If they go
to a double dissolution, which Mr Green confirmed this morning would give the LNP an
advantage—you should read the transcript—then we will see antiworker legislation
introduced in this place courtesy of the Greens. We will see antiunion legislation introduced
into this place courtesy of the Greens. We already have the LNP's appalling record on our
environmental future, and we will see the clean energy corporation, which has done such an
amazing job, dissolved. Who will bear the responsibility for that? The Greens will.

Really, the Greens are no longer even a party of policy—they are a party of grubby deals.
That is what they have done here today. I have heard some of the Greens in here today and
some LNP senators standing here and saying that this is not a grubby deal. That is nonsense.
We had experts this morning in the committee hearing who said that if there were a double
dissolution it would advantage the government—plain and simple; it is there in the transcript
for anyone to see. That is the truth of it. And that is what the government want to do—they
want to pull the trigger. They have had years to undertake electoral reform. They are the
government, no matter how much they want to point the finger at Labor—we did this, we did
that, George Williams said this, Gary Gray, the member for Brand, said something else.
Actually, they are the government, they are in charge and they could have at any time put
forward an electoral reform bill to be considered in line with the majority report that Labor
worked hard to get to. But, no, they did not because that would not have given them the
outcome they want. That would not give them the opportunity in a double dissolution
election, as Mr Green said this morning, to actually get control.

As Senator Conroy has pointed out, so inept are the Greens at negotiation that it
disadvantages them. They seem to have missed that point entirely, but to stand in here and try
to make this somehow Labor’s responsibility is nonsense. The responsibility for this grubby deal rests very clearly with the Greens, the LNP government and Senator Xenophon.

No wonder the crossbench senators are very angry about this. Yes, we need a fair system which represents everybody, but this system that is being put forward by the government—whenever they get it through this place with the support of the Greens—is not a fair system. Certainly the experts confirmed that today. In fact, one of them says he believes it will be the subject of a High Court challenge. That is where the government and the Greens are leading us. They are leading us down this clumsy road where there is no certainty. So badly and so quickly has the bill been drafted that they left out some pretty important provisions that had to be slipped into the House through amendments concerning counting votes. How could you forget that? Again, it shows the ineptness of the Greens when it comes to negotiation and the double ineptness of the LNP government. That is a little amendment that was slipped in. If it gets through this place, this bill, seemingly, is headed for the High Court. What a mess. It is not enough that the LNP are the worst government we have ever seen—they cannot manage anything and they are well and truly after workers and ordinary working Australians—they are also going to mess up an electoral system that has been there for 30 years. Yes, of course Labor would welcome the opportunity to look at change, but not change that is rushed through in a dirty deal. That is not what Labor is about.

It was a very rushed committee hearing this morning. I watched it. People were given only a few minutes to ask questions. I am sure that it was stacked with people who were there just to waste time. If you were dinkum about it, there would be a proper inquiry and a proper opportunity, and you would explain to the Australian people what the change represents. Most Australians have trouble understanding the Senate, and you are going to make that worse by rushing this bill through. It is a tricky system. There should have been open hearings so that Australians could come, look, ask questions and listen. It is already a difficult system that needs time and explanation. What you are doing now is just rushing it through with a hearing that went for a couple of hours where you brought experts to Canberra, asked them a few questions and sent them on their way. Now you, the Greens and Senator Xenophon will stand in here and say, ‘Well, we had a hearing. There was an opportunity for the public to be involved.’ What nonsense.

You do not stand for proper electoral reform. You do not stand for Australian voters. You do not stand for democracy. You just stand for grubby deals done behind closed doors. Worse than that—the Greens cannot even protect things that they purport to hold near and dear. They finally have been exposed. They are about power. They want to be the only minority party in this place. They want their minority view to be the only view that gets aired. That is the deal they have done. They will stand judged on that. In fact, polls are already showing that their membership are not happy with them—and why would they be when the Greens have done a grubby deal with the LNP government?

Senator McKIM (Tasmania) (16:57): There has been an awful lot said in this place about Senate voting reform recently. Much of it is political rubbish and that contribution fits squarely into that category. What I want to do is very clearly lay out the policy issue that is facing us here. I might add before I do that that, when I want a first-principles reference for how I should behave and how I should vote in this place, I go back to the founding principles of the party that I have the massive honour of representing in this place, the Australian
Greens. For the edification of senators, the four founding principles of our party are: ecological sustainability, social justice or a fair go for everyone, peace and nonviolence, and a participatory grassroots democracy—I will say the last one again: a participatory grassroots democracy.

For us—and certainly for me—part of a participatory democracy is the will of the voters being reflected to the greatest degree possible in who is elected into this chamber and, in fact, to both chambers of the Australian parliament. The problem with the current system is that it ends up in a make-up of the parliament which does not accurately reflect the will of the voters because, of course, the power over preferences currently rests in the hands of the backroom wheelers and dealers. It does not rest in the hands of the voters. In a democracy with full participation from voters, the power must rest in the hands of the voters to flow through and choose their elected representatives in this place. I would have thought that did not need to be said, but clearly it does need to be said given some of the rubbish we have heard from Labor on this issue over the last couple of days.

The current system is broken. It led, in 2013, to a candidate in Western Australia being elected on 0.2 of one per cent of the vote. That is fewer than 3,000 votes out of over a million votes cast in Western Australia for senators in that election. Fewer than 3,000 votes—out of a million votes—were enough to get someone elected to this place. That is a broken system, particularly when there were numerous candidates in that election who polled far, far more than 3,000 votes who did not get elected to this place.

I want to rebut, in the short time available to me, a number of Labor's arguments. Firstly, they say this legislation is being rushed. We had a joint parliamentary committee inquiry that ran for nearly a year and a half, held 21 public hearings right around this country and ended in a set of unanimous recommendations that were at that time supported by the Labor Party. Unfortunately, as they so often do for their own political purposes, they backflipped on their position and are now opposed to the Senate voting reform that they previously supported.

We believe that this is an opportunity and that the planets have finally aligned for us on an issue that we have been working hard on and campaigning hard on since 2004, when we had just two senators in this place and when Bob Brown, who was then Leader of the Australian Greens, tabled a first effort from us to deliver Senate voting reform. I add that, if Labor had honoured the written agreement they made with the Greens after the 2010 election that they would actually progress and deliver Senate voting reform to the best of their capacity, we would not even be having this argument now. We would not even be having this discussion now, because this would be done sometime between 2010 and sometime in 2013. But Labor squibbed on that written agreement, just as they did on political donations, that they are now going to use in this legislation that is coming before the Senate to try and wedge us out of supporting it. If they had not squibbed on the written agreement they signed with the Greens in 2010, we would have political donations reform already up and running in Australia. But, no, Labor walked away from their written agreement with the Greens in 2010.

Lastly, if Labor really were serious about avoiding coalition control of this Senate, they would not be obsessing about this; they would be getting out there and selling their policies to the Australian people—(Time expired)

Senator MADIGAN (Victoria) (17:02): Much is made of Senator Muir's low vote, but let us be clear: there are 11 senators sitting in this place who have not faced a vote—11 senators
from the coalition, the ALP and the Greens. There does need to be some critical analysis of
who sits here and how they got here. For the benefit of the Senate, as I said, we have quite a
few senators who have never faced a vote, and 11 of those senators, which equates to 14.47
per cent of the Senate, never stood for election.

Senator McKim referred to backroom deals. Well, Senator McKim, there were 11 people
parachuted into this place who never faced the voters, and two of them belong to the Greens.
That is a fact. These are people who find themselves here by backroom deals, as I said, not
directly elected by the voters. How does the crossbench compare to some of the government
senators and the government's rhetoric in this space about who sits here and how they got
here? Fifteen point thirty-eight per cent—that is, two senators on the government's front
bench, ministers—got here with fewer than 500 votes; 23.07 per cent, three of them, got there
with fewer than 1,000 votes; and five of them got fewer than 1,500 votes, which equates to
38.46 per cent. They never faced the voters. Yet the argument put forward on Q&A by the
former minister for small business was that people could not get elected in a local council
election—(Time expired)

Senator WANG (Western Australia) (17:04): The Liberals, Nationals, Greens and
Xenophon coalition wants to wipe independent voices from the Senate. Might I suggest that
there is actually a legitimate way to do that: if the established parties represented the people of
Australia better, we would not see one-quarter of Australian voters choosing anyone but them.
If members of those parties did their jobs better, I would not be standing here as a senator
after receiving four times as many first-preference votes as one of my Liberal colleagues from
WA, who is now a government minister. The reason I am here today is that the major parties
have not been meeting people's expectations. Let us not forget that fact.

But, instead of performing better, the Liberals, Nationals, Greens and Nick Xenophon
coalition has chosen to wipe independent voices from the parliament by doing a dodgy deal.
What makes it even worse is that they have cherry-picked from the recommendations of the
Joint Standing Committee on Electoral Matters inquiry to suit themselves and left out key
recommendations that would truly give back voting power to the people.

I thank the Labor Party for standing up for a truly representative and diverse Senate. As
esteemed Professor of Law George Williams noted, about the bill:
Disturbingly, ... it is designed to harm the electoral chances of minor parties while retaining
the capacity of major parties to manipulate the preferences of voters through the ordering of candidates.

As a senator, I am more than happy to go back into the workforce as a result of the major
parties doing a better job. As an Australian citizen I am really worried about where
democracy is headed in this country.

Senator LAMBIE (Tasmania) (17:06): The committee hearing this morning into the
Senate voting system was a bombshell. Recognised experts provided a valuable opportunity
to learn more about our complicated Senate voting system and the Liberals' and Greens'
radical electoral changes. I was very impressed by the testimony of Mr Malcolm Mackerras.
He took a principled stand and said the Senate voting system has been and will be
unconstitutional. Mr Mackerras referred to our Constitution as an authority, saying our voting
system must be candidate based, not party based. He kindly drew our attention to section 7 of
the Constitution to support his claim. It states:
The Senate shall be composed of senators for each State, directly chosen by the people of the State, voting, until the Parliament otherwise provides, as one electorate.

The system should be changed, but something this important should not be rushed.

The current system has evolved into one which Antony Green describes as 'a herding process to force voters to vote above the line'. But the new system proposed by the Liberals and Greens is, as Mr Mackerras said, 'breathtaking in its contempt for the Australian Constitution'. He called it a party-list system, because it can be gamed in favour of the big parties by running a just-vote-1 campaign. The Liberals want to change our voting system and then game our voting system by running a just-vote-1 campaign—they are quiet over there, aren't they?—and the Greens are the Liberals' enablers.

The Liberals are deliberately picking industrial fights in the construction and maritime sectors. In the short term they will bring our economy to its knees so that there will be a background of economic chaos and industrial unrest in the lead-up to the federal election in order to justify the inconvenience and expense of a double-D election on the Australian voter—every single one of them. Do you know what? You people should be ashamed of yourselves.

Senator LAZARUS (Queensland—Leader of the Glenn Lazarus Team) (17:08): People of Australia have had enough of career politicians who have never lived in the real world making decisions for those who do. As a result, we now have a crossbench in the Senate which reflects the diverse views and expectations of the Australian people. Based on community sentiment, the crossbench will only increase in size.

Major parties, the Greens and politicians like Nick Xenophon can collude to change the voting system to ignore the will of the people and game the system to benefit themselves, but I believe the will of the people will prevail. The need for real people, who generally understand the challenges faced by true-blue Aussies, to lead our country is only going to grow. While the coalition and the Greens may try to fight this through corrupt voting reforms, this will only prove to be a slight bump in the road for the momentum that is building across the country.

The people of Australia have had enough. They are sick of the Greens telling us to care about the planet while they all fly around the countryside on jets and dine out in the parliamentary dining room. They are sick of the silver-spoon Liberals allowing their mates significant tax breaks while hardworking Aussies are being forced to dig deeper. They are sick of the Nationals who claim to care about rural and regional Australia while farmers are being left to go broke and die through drought and the scourge of CSG mining.

My message to the coalition and the Greens is this: you can try to retain your filthy, corrupt, self-interested powerbase through a flawed, rushed, undemocratic voting system, but the people of Australia have already seen through you—and I believe that your parties are on the outer.

The ACTING DEPUTY PRESIDENT (Senator Ketter): Order! The time for the discussion has expired.
BUDGET
Consideration by Estimates Committees

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (17:10): I present additional information received by the Foreign Affairs, Defence and Trade Legislation Committee relating to estimates.

COMMITTEES
Legislation Committees

Report

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (17:10): Pursuant to order, and at the request of the chairs of the respective committees, I present reports from legislation committees, except the Community Affairs Legislation Committee, the Environment and Communications Legislation Committee and the Foreign Affairs, Defence and Trade Legislation Committee, in respect of the 2015-16 additional estimates, together with the Hansard record of proceedings and documents presented to the committees.

Ordered that the reports be printed.

Rural and Regional Affairs and Transport References Committee

Corrigenda to Report

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (17:11): On behalf of Senator Sterle, Chair of the Senate Rural and Regional Affairs and Transport References Committee, I present an erratum to the report of the Rural and Regional Affairs and Transport References Committee on its inquiry into the Australian grape and wine industry.

Ordered that the document be printed.

Human Rights Committee

Report


Ordered that the report be printed.

Senator O'SULLIVAN: I seek leave to have the tabling statement incorporated into Hansard.

Leave granted.

The statement read as follows—

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS
SENATE TABLING STATEMENT

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' Thirty-fifth Report of the 44th Parliament.

The committee's report examines the compatibility of bills and legislative instruments with Australia's human rights obligations. This report considers bills introduced into the Parliament from 22 to 24 February 2016 and legislative instruments received from 22 January to 4 February 2016. The...
report also includes the committee's consideration of three responses to matters raised in previous reports.

Four new bills are assessed as not raising human rights concerns and the committee will seek a further response from the legislation proponent in relation to one bill. The committee has also concluded its examination of one bill and one regulation.

As Senators would be aware, the committee's reports generally only include matters that raise human rights concerns and the committee is typically silent on bills and instruments that are compatible with, or even promote, human rights. This means that the often good work of ministers in ensuring the compatibility of legislation with human rights goes unnoticed.

In this context, I draw Senators' attention to the Territories Legislation Amendment Bill 2016. This bill seeks to address concerns raised by the committee regarding the Norfolk Island Amendment Act 2015, as reported in the committee's Twenty-second report of the 44th Parliament. That report noted that certain amendments to the Act had a discriminatory effect by excluding some categories of Australian permanent residents from access to social security. The current bill will make amendments to allow New Zealand citizens who hold an Australian permanent visa and reside on Norfolk Island access to social security payments, consistent with the arrangements for other Australian permanent visa holders. Accordingly, these bills promote human rights.

On behalf of the committee I wish to thank the Minister for this positive engagement with the committee and the substantive human rights issues engaged by these bills.

The report also includes the committee's final consideration of the Family Law Amendment (Financial Agreements and Other Measures) Bill 2015. This bill amends the Family Law Act 1975 so that binding financial agreements entered into at the time of, or after, a relationship breakdown may be set aside by a court only in 'circumstances that are of an exceptional nature'. While this will clearly narrow the court's power to set aside a financial agreement on the grounds that a child of the relationship will suffer hardship, the statement of compatibility did not address the obligation to consider the best interests of the child.

The Attorney-General provided an expeditious and helpful response to the committee's inquiries explaining that the bill would empower families to take responsibility for their own affairs without resorting to the family law system, and that important safeguards exist to protect individuals who may be unaware of their legal rights. On the basis of this analysis, the committee considers that the bill may be compatible with international human rights law.

I encourage my fellow Senators and others to examine the committee's report to better inform their understanding of the committee's deliberations.

With these comments, I commend the committee's Thirty-fifth Report of the 44th Parliament to the Senate.

MINISTERIAL STATEMENTS

25th Anniversary of the first Gulf War

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (17:12): On behalf of the Minister for Veterans' Affairs, I table a ministerial statement on the 25th anniversary of the First Gulf War.

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (17:06): I move:

That the Senate take note of the statement.
I rise on behalf of the Australian Labor Party to acknowledge the service of those Australians involved in the First Gulf War some 25 years ago. There is no greater ask that a country makes of its citizens than to send them to war. Iraq's invasion of Kuwait in August 1990 resulted in the formation of an international coalition of over 30 countries to enforce United Nations Security Council resolutions. Australia was one of the first nations to join the coalition force, and our forces were deployed under the auspices of the United Nations.

As part of this international effort, over 1,800 Australian personnel were deployed in the First Gulf War from August 1990 to September 1991. We owe those men and women an enormous debt of gratitude. As others have noted, this conflict marked several significant firsts for Australia. It was the first time that Australian forces went to war under the command of the Chief of the Defence Force. In addition, HMAS *Westralia* made naval history by carrying seven women, including two officers, into war for the first time. Today we acknowledge the commitment and professionalism of all those Australian Defence Force personnel who were involved in this conflict.

Australia was fortunate: our servicemen and servicewomen arrived home safely, and no Australian lives were lost in the First Gulf War. That is not to underestimate the significance of their service or the impact it may have had on the lives of those personnel that were deployed to Iraq. But we were fortunate that our personnel returned home, and we must acknowledge that our coalition partners were less fortunate and lost members of their armed forces. Hundreds of coalition personnel lost their lives in combat in the First Gulf War, with our US ally, alone, suffering 148 battle casualties.

We should also acknowledge that Iraqi forces suffered heavily in the fighting, with casualty estimates in the tens of thousands. I also wish to acknowledge the suffering of Iraqi civilians who, through no fault of their own, were caught up in this conflict. Estimates of civilian casualties in the First Gulf War vary widely and are contested. But what is not in dispute is that Iraqi civilians suffered terribly as a result of the actions of Saddam Hussein's regime.

As senators would be well aware, Australian personnel have revisited this theatre several times since the First Gulf War—and we are likely to be engaged in the Middle East for years to come. Indeed, as we meet here today, around 780 Australian Defence Force personnel are currently deployed to the Middle East as part of Operation OKRA to combat the Daesh terrorist threat in Iraq. I wish to take this opportunity to also acknowledge their commitment. Our thoughts are with them and we look forward to their safe return to their families and loved ones.

Today the Senate marks the 25th anniversary of Australia's involvement in the first Gulf War. Those 1,800 Australian personnel who were deployed as part of this conflict did themselves and our nation proud. Our young men and women deployed in the Middle East today continue the tradition of excellence, professionalism and commitment of their predecessors some 25 years ago. I thank all those who have served and sacrificed for this country.

**Senator LAMBIE** (Tasmania) (17:15): Twenty-five years ago Australia deployed 1,800 defence personnel to the first Gulf War to assist the US and several other countries push Iraq out of Kuwait. There were 146 casualties from the coalition, but Australia was fortunate enough not to lose one digger in this particular war. In the public gallery watching this debate
today is a group of veterans from the Australian Peacekeeper and Peacemaker Veterans Association, one of whom, Rod Thompson, is an Australian Gulf War veteran who served on HMAS Adelaide. Thank you all for your service.

Tomorrow these veterans will join with hundreds of their fellow veterans—brothers and sisters—to rally on the lawns in front of Parliament House at 10am. They will protest at the dysfunctional way they are being treated by this government’s Department of Veterans’ Affairs. They will protest at the lack of respect shown by the Prime Minister and other senior government politicians. I urge all senators who are supportive to join the veterans and hear what they have to say. They have been ignored for far too long. They will suffer in silence no longer. Too many of them have taken their own lives. So it is time that the Canberra politicians and media listened.

The 1,800 Australians who participated in the Gulf War faced a more devastating battle with their minds and bodies after the Gulf War. A Monash University study, the Australian Gulf War Veterans’ Health Study 2003, has shown that Gulf War veterans suffered increasing psychological conditions in the years following the Gulf War—and not just PTSD either. The study showed the Australians deployed to the Gulf War were also suffering from anxiety disorders, depression and increasing problems with drinking as well.

This information is not new to the government. The Department of Veterans’ Affairs had this report—and, for that matter, the follow-up report—but sought ‘independent’ review from an ‘independent’ epidemiologist of their choosing. And these health problems are not exclusive to the first Gulf War. I do not need a university to tell me that war or warlike service can cause crippling psychological damage on top of physical damage.

The things the government expects these people to do are inhuman—fair enough, that is what they sign up for. But what they do not sign up for is being kicked to the kerb and put through the bureaucratic wringer. Veterans do not sign up to poor treatment by the government. They fight—sometimes to the death—to receive the necessary health care they require. A government needs to step up to its responsibility and make sure the people it is training to deal with the extreme circumstances that are likely to arise during war have the best physical and mental health care available to cope with those extreme situations when they leave the Defence Force.

So why haven’t the government and the Department of Veterans’ Affairs implemented changes surrounding the results of the Monash University’s Australian Gulf War Veterans’ Health Study 2003? When you reflect on the fact that the total number of Australians who died in combat overseas for the last 15 years is approximately 49 and the total number of Australian former diggers who have committed suicide is 241 the enormity and weight of the tragedy sinks in. It causes in me a terrible dread. That is obviously not a feeling shared by the major parties, who voted against my private members bill which would have granted an automatic gold card to diggers, peacekeepers and peacemakers who had been in a war or warlike conditions.

Making access to a gold card a tick and flick exercise would allow the most vulnerable and often damaged people to bypass a traumatic and further damaging administrative process and immediately receive the relevant medical care they need. An automatic gold card does not just benefit the digger who receives it. It also reduces the administrative burden for the Department of Veterans’ Affairs and alleviates the rate of homelessness and suicide, which
translates to a greater number of people being healthy enough to contribute to society and the tax base.

These deaths are avoidable. The bureaucratic fight with the Department of Veterans' Affairs to obtain the benefits and services of a health gold card is responsible for killing our veterans and carving a trail of destruction through their families and friends. You people in here have still not learnt anything from the way you treated our Vietnam veterans and their families and the impact it has had on them.

Last week, for political gain, the coalition government and Labor voted down my legislation. While Labor opposed my legislation for the automatic issue of a gold card to veterans, I can report that today I have had an encouraging meeting with the Labor shadow minister for veterans' affairs, Mr Feeney. After listening to members of the Australian Peacekeeper and Peacemaker Veterans Association he has a much better appreciation of the minimal costs of implementing this system.

I am double checking the costings I received from the PBO and its view that the cost will be less than half of what the government is trying to say it will be—with the added benefit that it will save lives. What cost do you put on the life of a veteran—$100 million, $1 billion, $2 billion, $10 billion? Anytime you work that out, please let me know.

I am also working on a private members bill which will provide retraining for diggers leaving the Australian Defence Force after a number of years of warlike service. The 'Diggers' Bill' will provide a smooth transition for diggers from the Defence Force to civilian life. It will be modelled on America's famous GI Bill, which helped build America and properly rewarded veterans for their service to their country. Put simply, the GI bill provided free university education for their former warriors. Why can't we do the same for our veterans?

The Defence Force is all many of our diggers know. Without education and a transition pathway many will not have transferrable skills and many of them will not know where they can get help. The 'Diggers' Bill' will make sure that their potential is captured and utilised in the civilian world. If every one of our diggers is retrained and placed in the workforce again, our rate of homelessness drops and their sense of purpose is maintained, which will decrease the rate of suicide. It will also broaden the tax base, as the 'Diggers' Bill' will see a rise in work place participation and again reduce the administrative burden that is on the Department of Veterans' Affairs.

So I say to the government: if you are not prepared to look after the men and women of Australia's military—who have pledged undying loyalty to Australia, trained for war, followed politicians' orders, bled, sacrificed and protected our world famous Anzac legend—then don't bloody well send them in the first place!

My network supports fair pensions indexation for veterans and former ADF members, including those who have been physically and psychologically wounded or harmed. ADF members who are totally and permanently injured should be treated fairly and respectfully. We will introduce legislation that will protect the purchasing power of all former ADF members by linking their pensions and entitlements to the rising cost of average Australian weekly wages.

The JLN has introduced and had passed by the Senate legislation which guarantees fair pay and pay rises for all members of the ADF and a wage rise safety net by linking our diggers'
pay increases to the increases given to Australian politicians or to the CPI—whichever is higher. That bill now sits in the lower house of the parliament awaiting debate. Bring that on any time you like. The only person who has the power to bring that debate on is Prime Minister Turnbull, who has been under a bit of pressure this week.

As I have outlined, there are many positive policies that this government can implement to improve the lot of our veterans. However, to immediately help those who are still serving in the ADF the Prime Minister can authorise the debate of my private member's bill in the lower house. I would love it if the government members voted for it, but I am not holding my breath. But all I ask is that for tomorrow we get a commitment to just have a debate. I would like to know the names of the politicians who would vote against a bill that links their pay to the pay of our diggers.

In closing, I ask that all people who support our veterans and their call for the automatic issue of a gold card wear a gold ribbon tomorrow to show their support. Today, I also put it out there that I will be issuing those gold ribbons for Anzac Day. One way or another, these people will receive the physical and psychological treatment that they have earned. As a matter of fact, you people in there did a deal with them. Part of our service for signing up in the first place was that you were to look after us if we were hurt or injured. You have failed to get the job done. In this parliament, the major parties have failed to get the job done. That is why we have had over 250 suicides—and still counting. I can tell you now that you might as well double that number, because they are only the ones that we know of.

Question agreed to.

COMMITTEES

Environment and Communications References Committee

Foreign Affairs, Defence and Trade References Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Seselja) (17:25): The President has received letters requesting changes in the membership of committees.

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (17:25): I move:

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

Environment and Communications References Committee—

Appointed—

Substitute member: Senator Brown to replace Senator Bullock for the committee's inquiry into large capacity fishing vessels

Participating member: Senator Bullock

Foreign Affairs, Defence and Trade References Committee—

Appointed—

Substitute member: Senator Whish-Wilson to replace Senator Ludlam for the committee's inquiry into the Australian Defence Force resistance to interrogation training

Participating member: Senator Ludlam.

Question agreed to.
BILLS

Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016

Trade Legislation Amendment Bill (No. 1) 2016

First Reading

Bills received from the House of Representatives.

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (17:26): These bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall move a motion to have the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

(Quorum formed)

Question agreed to.

Bills read a first time.

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (17:29): I seek leave to move a motion to exempt these bills from the bills cut-off order.

Leave not granted.

Senator Dastyari: You get nothing!

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (17:29): Pursuant to contingent notice standing in the name of the Leader of the Government in the Senate, I move:

That so much of the standing orders be suspended as would prevent the moving of a motion to provide for the consideration of a matter, namely, a motion to give precedence to a motion to exempt these bills from the bills cut-off order.

What is happening here is one massive filibuster. This is not even in relation to a piece of legislation that Labor has any concerns about. What Labor is doing in this chamber today—we heard Senator Dastyari yell across the chamber, 'You get nothing!'—is playing games. This is Labor not making judgements about what is in the public interest. This is a bill that I suspect Labor might even end up not opposing. I think everyone across Australia well understands what is happening here. We have the union politics and student politics brought back into the chamber by some very juvenile people on the Labor side. I commend to the Senate to support this suspension.

Senator CAMERON (New South Wales) (17:31): I think that is the most pathetic argument—if you could even call it an argument—as to why the proper process in this place should not go ahead. This is a government that is an absolute chaos. They are an absolute rabble. Really, they should not bring the rabble that is their party room into this place, because that is what this is. They as a government just do not what is going on from day to day.

To say that we should not follow process on this, and get up and give us 30 seconds about why we should not follow process, is totally unacceptable. We have a position where there are
issues that have to be dealt with appropriately and effectively through the processes of the Senate. Just because those opposite do a dirty, rotten deal with the Greens they think they can come in here and disrupt everything about process and procedure. We are not going to cop this. You need to convince us why this should be done. You stood up and you failed to do that. It is totally unacceptable, absolutely unacceptable.

The minister has been here long enough to understand that there are issues that we can deal with. There are issues that he can sit down and talk to the opposition about. This is not one of them, when you run this line, when you simply stand up and try and breach the proper processes of the parliament.

We are not unattracted to looking at how we can make things work better in this place. But I will tell you what we are not prepared to do. We are not prepared to cop the chaos of your party room coming back in here because you cannot make up your mind about how you get a tax policy in this country. When you have a Prime Minister who is so weak and so jellybacked that he cannot stand up to the right wing of the party on economic issues then this is unacceptable. The reason you are in such chaos about your procedures in this parliament is that you are not cohesive in what you do in relation to your policy and your party.

We see the minister, Senator Cormann, is now talking to Senator Di Natale to try and stitch up another deal. Senator Di Natale is going to make the Australian Democrats look as if they were strong. All that Senator Cormann has to do is go down and eyeball Senator Di Natale and Senator Di Natale goes into the foetal position. He just curls up. He just gives in: 'Don't give me any more arguments! I give in.' That is the Greens in this place. They roll over as soon as any pressure is put on them.

The position that is being put forward by the minister is not consistent with the standing orders. He simply wants to try and bring things on and get the debate curtailed. This is the place where you have to have debate. The sooner the Greens understand that there is a proper process, the sooner the Greens understand that they should not just give in every time that Senator Cormann wanders down and pulls their chain—here is the chain getting pulled again! Senator Cormann and Senator Di Natale are in deep, deep discussion about how they can get this through, how they can overcome the proper processes in this place. It is really pathetic.

I was saying that the Prime Minister should grow a backbone. Senator Di Natale, you should grow one. You should stand up to the intimidation of the National Party and the Liberal Party. When the National Party are congratulating the Greens day in, day out we have a problem. Grow a backbone. Stand up to the intimidation. Be the party that says, 'You should be …,' not what you are at the moment, a grovelling party not doing— (Time expired)

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (17:36): What a display. Dummy spits! I have been hearing them whizz straight past my ears here all day and in the committee room. You must have a gross of dummies around there. Everyone is getting four or five every morning in the party room to go in their pocket. I have never seen anything like it. The hypocrisy is as thick as a shearer's gravy—you could not cut it with a chainsaw. The minute someone tweaks the dummy in your mouth off you go. It would all be funny—it would be a tonne of fun—if you were not interfering in the due democratic process of the Senate.

Senator Conroy: How many houses have you got negatively geared?
Senator O'SULLIVAN: You want to have a talk about negative gearing? I will have a talk about negative gearing every day of the week with you, but the fact of the matter is that I have seen another side to the Labor Party.

Senator Cameron interjecting—

Senator Conroy interjecting—

Senator O'SULLIVAN: Penny should be down here. I am watching the two of you. It is only a matter of time now. I can smell the axle grease on the rails. It truly is only a matter of time and she will be gone. We do not have to worry about the changes to Senate reform. She will be gone, you will see to it. I already know when there is trouble in the camp. When you, Senator Conroy, and Senator Carr and one or two others start turning up in committee rooms we know that the democratic process of this Senate and its functions will be disrupted.

This is outrageous. We have a situation here where a non-controversial bill is related and you are going to do anything in your power to frustrate every single step in the operation of this Senate and the government going about its business—a government mandated by the people of Australia. They hunted your mob. Never give another regard to it—you were gone. They were sick and tired of you changing the revolving chairs—Rudd, Gillard, Rudd—and had you stayed there a bit longer there would have been one or two others. Everyone gets a turn in the Labor Party. But the fact of the matter is some of the key people in your party—the likes of Gray, Faulkner and others—respected members who participated for some 2½ years in relation to the development of some transparent measures for this place, have been displaced.

Senator O'SULLIVAN: Gary Gray is around there trying to get his head stitched back on. That is how Gary Gray gets rewarded from the Labor movement after all of his years of service.

Senator Conroy interjecting—

Senator Dastyari interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Conroy, Senator Dastyari.

Senator O'SULLIVAN: He was one of the most respected members of the Labor Party. He is up to about stitch 760 to get his noggin back on his shoulders. But the problem was that it was an ugly cut. It was not a clean-cut. It was a cut where there were about eight scalpels at him at the one time.

Senator O'Neill interjecting—

The ACTING DEPUTY PRESIDENT: Order, Senator O'Neill.

Senator O'SULLIVAN: And he did not even see coming, because had he seen it coming he would have behaved differently in the last three years. This is a Labor man. Had he believed truly that the position of the Australian Labor Party was different to his own position he would have been the true soldier that he is to the Labor movement and he would have remained faithful to the script. But what happened? Here is one setting: he goes to bed, and when he wakes up he throws his leg over the side of the bed and sits up and his head is still on the pillow. You people have no rules. When it comes down to getting serious about issues you have no rules.
Here we are implementing an innocuous bill here. We are simply presenting it to the Senate so it can get on with the business of its work.

Opposition senators interjecting—

Senator O'SULLIVAN: We knew there was trouble. When this mob gets together, when the three of them are in the chamber together, we know that democracy is about to suffer.

Senator Conroy interjecting—

Senator O'SULLIVAN: Joe, I am surprised you have hung out with them mate. You should go and sit back with the others who are not prepared to sit in the benches with them. I expect far more from you. But, of course, when we talk about democracy, one thing we do know about the Labor Party is that there is no democracy inside the Australian Labor Party. We know that the minute that you disagree or have another view, off comes the noggin. It is gone—blunt chainsaw, one big swipe, ugly scars right across your shoulders. And here we are, the mandated government, the government that the people of Australia put into this place, endeavouring to do an ordinary, innocuous piece of business, and what do you do? Don't any of you breath the words 'democracy' or 'transparency' again in this place. (Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (17:41): Can I thank the Liberal-National Party of Queensland for coming to the protection of the Greens yet again. It is quite sad to watch. They cannot even manage to stand on their own feet to defend their position. They must think they are actually in a Greens conference where you lock the media out and no-one will notice what goes on inside. Everyone has noticed that you are in bed with the Liberal-National Party—and worse, the Queensland Liberal-National Party. They are your protectors. They cheer you when you speak now. You are going to have to have a shower each time you leave the chamber at this rate. What we have here is a government in a mess, a government that is a shambles.

Senator O'Sullivan interjecting—

Senator CONROY: I was sitting in the committee with you, Senator, and I was reading live texts from your party room as Tony Abbott congratulated Mr Turnbull on his communication skills, and I know that you, Mr Acting Deputy President, were chuckling out loud in that party room as it was happening because we all knew what was really going on—speaking of knives and chainsaws. Mr Abbott was sowing his head back on and he decided that he was going to have a bit of an outing. He was on a bit of a tear this morning. I was reading it live. I was sitting in a joint parliamentary committee and I was reading texts from the Liberal Party live as it went on. We had Senator Abetz get up and back in his good mate. Where were you this morning, Senator Macdonald? Were you defending the Prime Minister from the attack from the Abbott-Abetz forces? I did not read your name in any texts that were coming out of party room.

Senator Ian Macdonald: I was in the committee with you!

Senator CONROY: You were in and out of there.

Senator Ian Macdonald interjecting—

The ACTING DEPUTY PRESIDENT: Order!

Senator CONROY: You could have gone down there and defended the Prime Minister.

Senator O'Sullivan interjecting—
The ACTING DEPUTY PRESIDENT: Order! Senator O'Sullivan.

Senator CONROY: You could have been down there defending him. I should ignore the interjections, Mr Acting Deputy President, I know.

The ACTING DEPUTY PRESIDENT: Yes, you should, Senator Conroy.

Senator CONROY: This is a government that has been unable to make the case today about the urgency of these bills, the Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016 and the Trade Legislation Amendment Bill (No. 1) 2016. This is a government that just wants any distraction. Please just give us a distraction from the shambolic performance of Senator Cormann cutting loose the Treasurer seven or eight times on national television. He says, 'No, it's nothing to do with me. Go and ask Mr Morrison. I don't know about any excesses in negative gearing. Mr Morrison said that. I don't talk to the Treasurer about things like that. That's not my portfolio.' I thought they worked on budgetary matters together. So it is no wonder that Mr Morrison has been calling Senator Cormann the chief bed-wetter, because he has cut him off at the knees in public. The finance minister—

The ACTING DEPUTY PRESIDENT: Order! Pause the clock. Senator O'Sullivan, do you have a point of order?

Senator O'Sullivan: All things aside, this is a robust chamber, but those sorts of reflections are not helpful. I would urge you to ask the Senator to withdraw that remark. We have already had discussions in this place about how to conduct ourselves this week.

Senator CONROY: But that is what the Liberal Party are calling each other! I am quoting the Liberal Party!

The ACTING DEPUTY PRESIDENT: Order, Senator Conroy. You should refer to senators by their correct title, and so I will ask you to refer to senators by their correct title.

Senator CONROY: I accept your admonishment. So what we have is the finance minister cutting loose the Treasurer. This is while they are weeks away from putting a budget to bed. Senator Cormann tells the country on national television, 'I do not talk to Mr Morrison about those issues.' I mean, really, talk about pushing him out the door into the snow, talk about stealing the paddle and pushing him off up the creek. Senator Cormann is paying back Mr Morrison for betraying Tony Abbott.

I admire your ability to stick with Mr Abbott but, seriously, there is a bit of a rule when you are on the front bench, when you are part of the economic team, when you are the Treasurer and the finance minister—you defend each other publicly. Perhaps Mr Morrison does not actually smoke cigars. Perhaps that is the problem—he has not accepted a cigar from Senator Cormann. Senator Cormann has not even attempted to make a case. He arrogantly thinks, 'I can stroll down to the other end of the chamber, I will tickle senator Di Natale on the tummy and I will tell him that he should do this.' It is all part of this filibuster. It is all part of the Labor Party picking on those nice Greens because they are supporting the government to wipe out and purge this chamber of anyone they do not like, to take revenge. How long do we have to put up with a couple of people who did not get elected to parliament dictating party policy? Because they did not win, they want revenge on Senator Leyonhjelm. Goodness me, grow up.

Senator Cormann wanders down there, tickles Senator Di Natale— *(Time expired)*
Senator DI NATALE (Victoria—Leader of the Australian Greens) (17:47): First, let me make an apology. I want to apologise to all the people who are listening on broadcast right now who have had to endure 20 minutes of vitriol, of nonsense from the Labor Party. The Labor Party are intent on frustrating the business of this parliament. We get that we have a Labor Party who are torn and divided over the issue of electoral reform. We understand that. We understand there is a big tussle going on at the moment within the Labor Party—there are those people who support electoral reform and those people who do not. That is a legitimate position to take. There are arguments on both sides.

Unfortunately what we have seen is the backroom boys prevail over the likes of the more sensible views of people like Gary Gray, who made an explicit commitment and called those positions held by the likes of Senator Conroy and Senator Dastyari 'dumb'. 'Dumb' is one word you could use. You could use many others. Unfortunately that is not the topic what we are debating right now.

What we are debating is whether the Labor Party will frustrate the passage of legislation that will help vulnerable people through a specific assessment tool. It is a piece of noncontroversial legislation that I think we all support. Yet here we have the Labor Party trying to frustrate the passage of that legislation. They continue to delay and obfuscate because they have a bitterly divided Labor Party. What they are trying to do is garner support from their own side for tactics that many on their own side actually rightly do not support. I will make a prediction that you will see this nonsense over the next couple of days and it will just melt away. It will disappear. What we will see then is a return to sanity.

Let me say on behalf of those people who are listening, what you are seeing and hearing is the parliament operating at its worst. You are seeing a parliament trying to frustrate the important business of the passage of legislation that is not particularly controversial using a set of parliamentary tactics in an effort to do that. It has got nothing to do with the issue that has occupied much of the Senate's time over the past few days—that is, the issue of putting power back into the hands of voters rather than leaving it within the hands of the backroom dealers.

There are those people within the Labor Party who like the status quo because, let's be frank, Senator Conroy and Senator Dastyari are not here because of their soaring intellect or their capacity to be able to grasp complex policy decisions. They are not here because of that; they are here because they are wheelers and dealers. Their power resides within the fact that they exercise brute power in the back rooms of the Labor Party. Right here what you have is an example of everything that is wrong with that modern day Labor Party, completely lacking in substance, completely lacking in integrity.

Senator Dastyari interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Dastyari.

Senator DI NATALE: We have got a piece of legislation supported by the Labor Party, who are now doing an about face, doing everything they can to frustrate the parliament from doing its job. We are letting them have their fun at the moment. We figured it is important that they get this stuff off their chest. We know that Senator Conroy and Senator Dastyari have fought a long battle inside the Labor Party. It appears, sadly, that their position has
prevailed and the likes of Alan Griffin, the likes of Gary Gray and the likes of many others inside the Labor Party have lost the day on the issue of optional preferential voting reform.

That is a shame because it was a reform that they supported back in 2014. It was a reform that up until last year they supported wholeheartedly but not now because of the simple reason that they are worried about losing an election. We are more optimistic about the Australian people. We are much more optimistic about the Australian community. We think that ultimately the outcome of an election should be decided by voters, not by the backroom deals, not by the likes of Senator Dastyari and Senator Conroy. We think ultimately it is voters who should decide the outcome of an election and it is politicians who should get on with the job of governing. *(Time expired)*

**Senator IAN MACDONALD** (Queensland) (17:52): It is not very often that I agree with Senator Di Natale, but I agree with every word he just spoke. He has actually brought some sense and rationality to this debate. Can I just explain to people who might be listening what exactly we are debating at the moment. It is not Mr Turnbull's economic credentials and not the electoral system but a bill to do a Business Services Wage Assessment Tool Payment Scheme. That is the bill that is before the discussion now. What we are doing is getting a message from the House of Representatives, where this bill has been debated and has passed. It has been brought in here and we are debating whether it should be dealt with as a matter of urgency. Can I just urge upon the Labor Party to remember—and explain to those who might be listening to this debate—that this bill is about providing money to people working in disability services and enterprises. I repeat that: this bill that we are debating is about making more money available to people with disabilities working in disability enterprises.

**Senator Marshall:** Mr Acting Deputy President, I rise on a point of order of relevance. We are not in fact debating a bill at all. If Senator Macdonald thinks we are debating a bill, he is clearly not addressing the question before the chair.

**The ACTING DEPUTY PRESIDENT (Senator Seselja):** Thank you, Senator Marshall. I will rule on the point of order. I have allowed Senator Conroy to go well beyond—

**Senator Conroy:** I never mentioned the bill!

**The ACTING DEPUTY PRESIDENT:** Order! Senator Conroy, I understand that.

**Senator Conroy interjecting**—

**Senator Cormann:** He has no idea!

**The ACTING DEPUTY PRESIDENT:** One at a time! I am ruling on the point of order—

**Senator Cormann:** Mr Acting Deputy President, I rise on a point of order. Senator Conroy just said he had no idea what the actual bill was, yet he is raising points of order. You should call him to order.

**The ACTING DEPUTY PRESIDENT:** Thank you, Senator Cormann, but there is no point of order there. I am ruling on the point of order. Senator Marshall, I allowed a fairly wide-ranging discussion when Senator Conroy and others were speaking.

**Senator Conroy:** I never mentioned the bill!

**Senator Cormann:** That is how the Labor Party—
The ACTING DEPUTY PRESIDENT: Order, Senator Cormann! I accept that it was wide-ranging. I will allow Senator Macdonald to continue.

Senator IAN MACDONALD: Thank you, Mr Acting Deputy President. That point of order does not behove our Acting Deputy President, I have to say. We are here debating reasons for urgency—

Senator Marshall: Mr Acting Deputy President, I rise on a point of order. I should not have to accept that. I am entitled to raise points of order. I was in fact seeking the call and thought I was entitled to the call, because it should go across the chamber. I wanted to address the actual question and the process and procedure, and not some of the politics that is being talked about.

The ACTING DEPUTY PRESIDENT: Thank you, Senator Marshall. Senator Macdonald has the call.

Senator IAN MACDONALD: I always know I am making an accurate point that people listening to this would be interested in when the Labor Party keep taking points of order on me. That was confirmed just now. This debate is about the urgency of the message from the House of Representatives to deal with the Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016. It is a debate on why this is urgent. Why is this urgent? Because it deals with providing money to people with intellectual disabilities affected by the representative proceedings to claim and receive agreed payments increases.

I would assume that the Labor Party will agree with the bill, but it is important that it is dealt with now so that payments can start. That is why the bill is important. That is why it is a matter of urgency. For the previous speaker who took the point of order, that is why the bill is a matter of urgency. That is why we should deal with the message from the House of Representatives as a matter of urgency, so that we can get on to the Business Services Wage Assessment Tool Payment Scheme that will provide more money for people working in disability enterprises. Why would the Labor Party be filibustering so we cannot start the debate on that bill to provide more money for people with disability enterprises? Why would you want to delay this, Senator Conroy? This is for money for people with a disability.

The Labor Party are using filibuster tactics to prevent the Senate from moving on and dealing with this bill. They do it because they spat the dummy over some other bill that we heard Senator Conroy talk about for five minutes without a word of a point of order from those in the Labor Party, who always find reasons to take points of order on me. The Labor Party are defending the indefensible on the electoral matters bill. As Senator Conroy spoke for five minutes on that, I feel I should just answer that for 30 seconds or so. Senator Conroy, and I ask Labor senators generally: what is wrong with allowing the Australian public to actually determine the preferences that they choose when they go to the next ballot for a Senate? The Labor Party want the bovver boys—the factional heads of the Labor Party—to determine who they will vote for in their preferences. We want the people of Australia to determine their own preferences.

I come back to the reason for the urgency with which we should accept and deal with the message from the House of Representatives: so that we can deal with a bill which will provide money to people with intellectual disabilities working in disability enterprises. It is a
wonderful idea. I am sure the bill will receive unanimous support when it comes before us. Why is the Labor Party delaying debate on that essential bill? We should be debating it now.

Senator MARSHALL (Victoria—Deputy President of the Senate and Chair of Committees) (17:58): I do not often speak on a political nature in the Senate, or I rarely do anymore, but, given some of the contributions made about the actual process, I do want to lend my views to the processes we are dealing with here. What we are actually debating is whether the bills should be exempt from the cut-off. It is easy for people to say—and people have said—that to exempt a bill from the cut-off is the normal process of events and procedure in the Senate. Of course, it is not. The cut-off is actually there because it has been developed over a long period of time through the Senate and is part of the Senate practice to stop bills being brought in towards the end of the session in order to ensure that they get less scrutiny and have less debate upon them. This was something first identified and complained about by Greens senators. Greens senators actually initiated the early cut-off processes in this chamber, and it was for very good reason. Many senators, particularly senators who were not government senators, had problems with bills being introduced and not being given the appropriate scrutiny.

It is true that from time to time bills need to be given an exemption from the cut-off, but that is more unusual than it is the norm. The norm is that bills that are subject to the cut-off do not get debated until the following session. Now, if there is an urgent requirement for a bill to be debated, one would assume that discussions are had around the chamber and agreement is reached about why the urgency is needed, and those matters are then put before the chamber. If it is agreed that they are urgent, there is agreement on that. I have been in this chamber many, many times where agreement has been reached, and it is simply a process motion for the bills to be exempted from the cut-off because the argument has been made and it has been accepted that bills should be exempted from the cut-off.

But to simply bring things in without discussion—and I am advised that, at least in terms of the opposition, there was no discussion whatsoever about why these bills needed to be exempt from the cut-off; they were simply introduced into the chamber to be exempted from the cut-off, which is against the practice of the Senate. The normal practice of the Senate, established over many, many years and, as I said, initiated by the Greens senators, is that, if bills are introduced late, they should be dealt with in the next session unless there is an urgent reason. Again, all I can say is that a lot of people are assigning different motives to why leave was not given to move a motion to exempt these bills from the cut-off, but I just want to put on the record that the normal process is that bills that are subject to the cut-off should not be dealt with until the next session.

The PRESIDENT: The question is that the motion to suspend standing orders, moved by Senator Cormann, be agreed to.

The Senate divided. [18:06]

(The President—Senator Parry)

Ayes .................... 39
Noes .................... 25
Majority ............... 14
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Question agreed to.

**Senator Fifield** (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (18:09): I move:

That a motion to exempt these bills from the bills cut-off order may be moved immediately and have precedence over all other business today until determined.

**Senator Conroy** (Victoria—Deputy Leader of the Opposition in the Senate) (18:09): The rabble that this government have descended into has again been demonstrated right here. We have a government that are in paralysis in their own party room. They cannot even make the case—

**Senator Ian Macdonald**: What have you got against disabled people?
Senator CONROY: You do not even know the start date for these bills. The government have got no idea so they are desperate for a distraction right now. Unfortunately, to cover their embarrassment they can now call on their new besties the Greens. The government have failed to make the case on these bills. It is a simple fact that not one government member who spoke in this debate in this chamber made the case for why these need to go through the cut-off.

We do know that, due to the filthy deal that has been done between the Greens and this government, we are going to a double-D on 2 July, because what we have had is the turkeys vote for an early Christmas. Senator Cormann is smooth. He has actually talked them into voting for their own execution. That is good. Paul Keating once said: in politics always back self-interest. These guys have voted for their own execution. It did take some special expertise by Senator Cormann on this.

Senator Ian Macdonald: Mr Deputy President, I rise on a point of order. I am wondering if you or Senator Conroy could explain how what Senator Conroy has said so far has anything to do with the subject of the motion. All he has talked about is the Greens and deals. This, as I understand it, is a very formal motion. I would like you to rule on whether Senator Conroy is being relevant to the motion.

Senator CONROY: Mr Deputy President, on the point of order: Senator Macdonald is deludedly sitting over there ignoring the fact that this debate and what I have been saying go to the heart of why we oppose this motion—because they have not made the case for this to be brought on. They have not made the case because they are a rabble and they have not made the case because they—

The DEPUTY PRESIDENT: I have heard enough on the point of order. I can rule. There is no point of order. You have the call, Senator Conroy.

Senator CONROY: Thank you very much. So try not to get up and distract from the rabble that is sitting in front of you, Senator Macdonald. If you had got more votes than Senator Bernardi, you would have been off to New York and not had to worry about this. Let me be very clear. This is a government that is using its numbers with the Greens to pass this—

Senator Ian Macdonald: Mr Deputy President, I take a point of order in that I am quite sure that the speaker is mad. I have no idea why he is talking about New York. It is not something I have ever sought.

The DEPUTY PRESIDENT: That is not a point of order. Resume your seat, Senator Macdonald. There is a provision against frivolous points of order too, I add in passing. Senator Conroy, you have the call.

Senator CONROY: Senator Heffernan: Senator Conroy, do your fly up.

Senator CONROY: Now we have Senator Heffernan adding his usual earthy contribution to the debate. Let us try to stay focussed on the bills at hand. The government are masquerading that the bills are urgent when we all know that, because of a filthy deal that the government have done with the Greens, we are going to a double-D. Because of a filthy deal that they have done to sell out their values, to sell out, we are going to a double-D. Any pretence whatsoever that these are urgent bills needs to be tossed out the window. Any
pretence that these are urgent bills does not stand up to scrutiny. It does not actually pass the smell test.

These bills are being brought in here to distract from the rabble that this government has become. We have a finance minister who cut the Treasurer loose today on national television. We have a Prime Minister who has taken control of the tax debate off the Treasurer—

Senator Ian Macdonald: How can this possibly be relevant?

Senator CONROY: and put his own head of the Public Service in charge of it. It is relevant, Senator Macdonald, because your government is trying to hide the fact that it is calling a double-D. This is not an urgent bill, and it is not an urgent bill because of all the other things that have been going on in this chamber, which you are party to. You are the party that has gone to the Greens and stitched up a deal to do Senate reform and purge all crossbench senators. Tragically, they did not work out that you are actually going to call a double-D on them and they are actually going to purge themselves. Senator Siewert, it was nice. I have had a lot of fun with you in the chamber, but you are not coming back after a double-D, and there are a couple more of you to go as well.

What we saw today in a joint parliamentary committee hearing about Senate electoral reform, which goes to the heart of this debate, is that Mr Antony Green, the great advocate on behalf of Senator Rhiannon, actually confessed for the first time that the Liberals will get 38 senators in a double-D.

Senator Ian Macdonald: Oh, he didn't.

Senator CONROY: Yes, he did.

Senator Ian Macdonald: He didn't.

Senator CONROY: He said it. It is in the transcript. You should read it. I have already put a press release out with the transcript in it. That is what he said. Then he said, 'Oh, and they'll also get three senators out of six in a half-Senate election.' I can count. That gets you to 38 as well. So the great supporter of the Greens, who has been—oh, my goodness!

The DEPUTY PRESIDENT: If you resume your seat, Senator Conroy. Senator Macdonald, on a point of order?

Senator Ian Macdonald: I raise the same point of order again, on relevance. Mr Deputy President, if you are ruling as you did before, could you explain to me how what happened in a committee this morning and what Anthony Green said—

Senator CONROY: Antony.

Senator Ian Macdonald: has any relevance to the motion before the chamber.

The DEPUTY PRESIDENT: So your point of order is on relevance?

Senator Ian Macdonald: Yes.

The DEPUTY PRESIDENT: I have been listening to the whole debate, going through its process, and I have also heard the ruling of the previous chair in relation to a very similar point of order. It has been a wide-ranging debate, and on that basis, being consistent—

Senator Ian Macdonald: But someone took a point of order on me.

The DEPUTY PRESIDENT: Indeed, and the ruling was made, and that is the ruling I will be following. So there is no point of order. Senator Conroy, you have the call.
Senator CONROY: I would just make the case that Senator Macdonald is correct, but his points of order were not upheld, because it has been a free-ranging debate—you are right—and Senator Macdonald is a beneficiary of the free-ranging debates.

But what we have is a government that is going to a double-D, and the cat was belled this morning when Antony Green told the joint parliamentary committee that in a double-D the government will get 38 senators, and in a half-Senate election they will get three out of six. That is what he said. Did they not explain that to you? When you did the deal, did they not explain that to you?

So this is a government that has pulled the wool over the eyes of this chamber already once today by how it voted. It is a government that has no policy agenda. It is pretending bills are urgent when they are not. But the greatest con on disabled people in this chamber is coming from those opposite, because they have no intention of trying to pass this bill before they call the double-D—no intention whatsoever of passing this bill, because you are calling a double-D.

It is a double-D that will have terrible ramifications in this country. It will mean there is no chance to save and rescue the National Broadband Network from the indolent minister, the indolent board and the indolent management, whose stock in trade is to consistently mislead the Australian public about what is really going on. There will be no chance to save the Clean Energy Finance Corporation when the double-D sitting is held and those opposite use their numbers in both chambers, if they are lucky enough to win, to wipe it out. There is no way to protect Australian workers from the penalty rate cutting that will take place by those opposite. There is no way, when they get back to it, that the GST will not be increased, because, just as John Howard said in the last few days, you are going to have to go back and increase the GST. It is in their DNA.

Senator Ian Macdonald: How can this possibly be relevant?

Senator CONROY: Why this is relevant is that those opposite cannot make the case for a positive vote in this chamber on this issue, because they are conning everybody who is listening. They are conning the disabled people in this country. You are calling a double-D. You have no intention of passing this bill before you call the double-D—no intention whatsoever of passing this bill. Don't you sit here and try and pretend that you are doing something for disabled people. You are calling a double-D that makes this bill not urgent, Senator Macdonald.

Senator Ian Macdonald interjecting—

Senator CONROY: You can sit there and talk and talk and talk, but this bill is not urgent.

Senator Ian Macdonald: You should take a pill. You are going madder.

Senator CONROY: Hanging around with you too much, Senator Macdonald, has that effect on people. You should start by looking in the mirror if you want to talk about madness.
But let me repeat: the government, after five speakers or so, have yet to make the case for why this was urgent. After five speakers, they have not made the case for why this bill should proceed in the manner that it is being put forward. They have not made the case for why the Senate should be turned upside down, other than the fact that we all know their party room meeting was a shambles this morning. We all know that, sitting in the joint parliamentary committee on electoral reform, I was reading live tweets telling me what Mr Abbott said and what Senator Cormann said. Senator Cormann, in fact, tweeted out of the room. So everyone was paying attention in there. There was sledging backwards and forward. We all knew what was going on. There were Senator Bernardi, Senator Abetz and all of those who wanted to get behind Senator Cormann's undermining of the Treasurer of this country. We all know what this debate is about. You are afraid to bring your real agenda on. You are afraid to reveal your tax policy to the Australian public. You do not want there to be a budget. You do not want to try to govern this country. You do not want to explain what the excesses of negative gearing are — identified on a number of occasions — because you want to hide behind the pretence that this bill is urgent. All of those issues will catch up with you over the coming months. For those in the Greens corner, when that double-D is called on 11 May and held on 2 July, all of the consequences of the filthy deal to sell out their policies and what they believe in will be seen. But the good news is that they will not all be here to realise it. They will be sitting in their homes because they will not be returned.

We know that your attempt today to upturn the Senate procedures to bring on bills that you have not told anyone you are going to bring on and to try to force the Senate to debate something else is not serious. You could prove me a liar. All you have to do is stand up here and say, 'I guarantee you there's no double-D happening. There'll be no election called before or on 11 May.' That is all you have to do to prove me wrong. Those opposite simply have to say, 'Senator Conroy, you're a fool. There's no double-D.' Then the attempt to bring this bill on becomes legitimate. Until you can stand up and promise this chamber and the people of Australia that there is no double-D, you have zero credibility in pretending you are interested in disabled people, good governance in this chamber or even good governance of this country. You are an absolute shambles. Your cabinet leaks. Your finance minister dumps on the Treasurer in public on national television. The Prime Minister, egged on by Senator Cormann, strips him of his portfolio responsibilities. This is a full-scale mugging of the second Treasurer that you have had! You have already tossed one Treasurer overboard!

Senator Ian Macdonald: How can this possibly be relevant?

Senator CONROY: It is relevant, Senator Macdonald, because this is about the scam you are attempting on this chamber. There is no urgency. The two people who could make this case are sitting right there. They could stand up and say, 'Senator Conroy, every word you have said is wrong, because we will not be calling a double-D on 11 May, the day after the budget.' This is the highest-taxing and highest-spending government in Australian history, but you claim to be the party of low tax. John Howard hit new records, and you are running second at the moment. You do not want to try to bring down a budget. You are terrified of the budget because your DNA is about cutting people's wages, cutting people's penalty rates, increasing the GST, cutting pensions and introducing $100,000 university degrees. That is what you want to introduce to this country. It is still your official policy. You still want to abolish the Clean Energy Finance Corporation.
All of those things are part of the agenda that those opposite are trying to hide from us today with this weak attempt to pretend they are interested in disabled people. This chamber should see through it. You have tickled the tummy of a leader who is looking for friends. If you read his Facebook page—he is very popular on his Facebook page today—I think you should send him a like. Senator Ludlam, send Senator Di Natale a few likes on his Facebook page because he really needs them today. Send him a few likes. He is feeling a little bit tender because Greens supporters have woken up to another filthy deal to help this government. I say to the Greens: you protected tax avoiders with the government last time. Now you are giving them the loaded gun to abolish the Clean Energy Finance Corporation, introduce $100,000 university educations, put in place pension cuts, put in place cuts to penalty rates and increase the GST. That is what the Greens have signed up to. So just tickle their tummy again, Senator Cormann, and get them to vote with you on this. Senator Macdonald, I thought you were getting up again; I am quite disappointed.

Senator Ian Macdonald: There is not much point in it, I have to say.

Senator CONROY: There is not much point in anything you say, but you still do it a lot! I have to admire it. This is a government that is bereft. Remember when Mr Turnbull became the Prime Minister? He could have said, 'Good governance starts today.' But, no—he actually started off with, 'Isn't it a wonderful time to be alive? Australians are governed by me.' It is heart-warming to see. This is a government that is completely and utterly cannibalising itself from the inside. There is no greater demonstration of that than when the finance minister of this country, on national television, dumps on the Treasurer and will not back him up. Senator Cormann, that is your job. Your job is to back up the Treasurer. Your job is to support him. It sort of comes with the territory of being the finance minister and the Treasurer. The simple fact that you cut him loose today says everything about the shambolic government that you are involved in.

Net debt went over $1 trillion today—congratulations! You like to mock Senator Wong. You have more debt than anybody else in history, Senator Cormann. You are the high-debt finance minister. You are never going to deliver a budget surplus while you are finance minister. That is the badge of honour that you will wear. You are never going to do it while you are the finance minister. You will never deliver it, and Senator Morrison will never deliver a surplus in this country either—it is Mr Morrison; we do not want to promote him.

Let's be clear: this is a government that has lost the plot.

Senator Ian Macdonald: You have you gone quite mad.

Senator CONROY: I am having my 20th anniversary dinner tonight.

Senator Ian Macdonald: You should lie down and take a Bex.

Senator CONROY: There will probably be a few Bexes in the morning!

This is a government that is attacking itself in its own party room. The former Prime Minister got up and, with his tongue firmly in his cheek, extolled the virtues of Mr Turnbull's communication skills. Mr Turnbull did not make it two months barracking for a GST, and Mr Abbott was openly laughing in his face in the party room. He was mocking him in the party room. The former Prime Minister was mocking the current Prime Minister in the party room. That is what it has descended to. That is why you, those opposite, are in here right now trying to pretend that this is an urgent bill. You all know that you are going to a double-D in July.
I will repeat again in my last few moments speaking that you can prove me wrong. The first words out of the mouths of Senator Fifield or Senator Cormann can be, 'Senator Conroy, you couldn't be more wrong. We're not going to a double-D. We're going to serve our full term.' But you are not going to say that. So do not stand up next and try to pretend that you care about disability. Do not stand up and claim that a trade bill is urgent because you do not have the courage to govern to the end of your term.

You have mugged those in that corner. You have absolutely taken them for gooses, and their gooses will be cooked. You will be okay, Senator Ludlam. We know you are the most popular politician in Western Australia. It is Senator Siewert I am a bit worried about. I am. I want to see Senator Siewert back here. I want to see her come back here.

Senator Sterle interjecting—

Senator CONROY: No, we should be fair and think of the alternatives! You, the government, have mugged the Greens. All you have to do is stand up next and say, 'There'll be no double-D. Senator Conroy's wrong. This is urgent because we do want—' (Time expired)

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:32): The government will outline the reason why it thinks that these bills are urgent, but I will tell you why I think these bills— (Time expired)

Senator Ian Macdonald: Mr President, I rise on a point of order. I am sorry to interrupt, Senator Siewert. I am very interested to hear you speak. I am just wondering what happened to the normal order of calling the opposition, the government and then the crossbench. You clearly saw me, Mr Deputy President. I saw you looking at me. You have again made the ruling that the crossbenchers take preference and precedence over a member of the government side.

The DEPUTY PRESIDENT: I have not made any such ruling, but I have given Senator Siewert the call.

Senator SIEWERT: The call does usually go around the chamber. I will tell you why I think the Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016 is urgent. It is the same reason I thought it was urgent every time we have been discussing this issue. While I disagreed the first time the government brought in the bill in 2014 because they were not being fair to people with disability, the reason I wanted to make sure this issue was dealt with is that it has been on the agenda for years. People with intellectual disability have been short-changed.

Shame on you, the opposition, for using this particular bill to try to frustrate the government’s agenda. I, for one, will not stand by silently while you use people with disability to hold up this bill. You ticked and flicked this bill through the House of Representatives because you knew how important it was for people with disability. You also ticked and flicked the trade bill through the House of Representatives. But I particularly want to talk about the bill that—

Senator Ludwig: Mr Deputy President, I rise on a point of order. I waited to see whether or not the senator's language would change. Could the speaker address her remarks to the President or the Deputy President, as the case may be, rather than using the word 'you' constantly; it is becoming aggravating.
Senator Siewert: Mr Deputy President, on the point of order, would you also consider the fact that every time members of the opposition have been speaking today in their attempts to frustrate this Senate they have been looking at the Greens. So maybe instead of directing their speeches to us they should be doing the same thing.

The DEPUTY PRESIDENT: Thank you, Senator Siewert. I have been watching this debate since prior to being in the chair and I think you are right. I remind senators that they should direct their comments through the chair. There has been leeway given in this particular debate.

Senator SIEWERT: In that case, Mr Deputy President, I will make sure that I am looking at you and the general direction of the front of the chamber! However, I will get back to the point because I am sure the opposition are trying to distract me from the point I am trying to make. They should hang their heads in shame that they are using this particular bill to try to frustrate the work of this chamber.

We will have ongoing discussions in the future about election reform, but this particular bill is about people with disability, particularly intellectual disability, who have been working in ADEs and other locations who have been short-changed. They have been waiting for years for compensation. The reason I think this bill should be exempt from the cut-off order is that the sooner this issue is dealt with the sooner the Federal Court can settle some of the cases that are currently before it. I, for one, would urge the government to make this noncontro. In fact, I thought it probably would end up as non-contro legislation so it could be dealt with. I thought that everybody in this parliament was now agreed that we should in fact be acting to end the discrimination against people with disability who have been caught up on substandard wages.

In the past in my numerous contributions on this particular matter, I have pointed out to the chamber and those listening that, if people had had access to the money that they have been denied because they were given substandard, inadequate wages, it would have made a substantial difference to their life’s progress. In the same way, people getting access to compensation as soon as possible will make a substantial difference. You have picked on the wrong bill to make your point, at the expense of people with disability who deserve compensation. That is not up for argument here. I believe these bills should be exempt from the cut-off order, which is why I think this motion should be brought on.

Senator Sterle: Then sit down and stop talking!

The DEPUTY PRESIDENT: Order! I remind senators that they ought not interject at all if they are not sitting in their seats and that, even when they are in their seats, interjections are disorderly.

Senator SIEWERT: I was in fact winding up, but, talking about winding up, perhaps the opposition is trying to wind up the speakers. These bills should be exempt from the cut-off order. Under any other circumstances, I am sure the opposition—who I know have also been very keen to help people with disability who have been caught up under this flawed approach in the past—would have let this through. I urge them to address this issue so that it does not get held up in this chamber for no other reason than the opposition trying to turn this into a chaotic place and frustrate the process. They have picked on the wrong bill. They should
change their minds, support this through and let us get on with making sure that people with disability who have been waiting for so long actually get their compensation.

The DEPUTY PRESIDENT: The question is that a motion to exempt these bills from the bills cut-off order may be moved immediately and have precedence over all other business today until determined.

The Senate divided. [18:44]

(The President—Senator Parry)

Ayes ..................... 37
Noes ..................... 24
Majority ................ 13

AYES
Abetz, E          Back, CJ
Bernardi, C      Birmingham, SJ
Bushby, DC       Canavan, MJ
Cash, MC         Colbeck, R
Di Natale, R     Edwards, S
Fawcett, DJ      Fieravanti-Wells, C
Fifield, MP      Hanson-Young, SC
Heffernan, W     Johnston, D
Lindgren, JM     Ludlam, S
Macdonald, ID    McGrath, J
McKenzie, B      McKim, NJ
Nash, F          O'Sullivan, B
Parry, S         Reynolds, L
Rhiannon, L      Rice, J
Ryan, SM         Scullion, NG
Siewert, R       Simms, RA
Smith, D (teller) Waters, LJ
Whish-Wilson, PS Williams, JR
Xenophon, N

NOES
Brown, CL        Bullock, JW
Cameron, DN      Conroy, SM
Dastyari, S      Gallacher, AM
Gallagher, KR    Ketter, CR
Lambie, J        Lazarus, GP
Leyonhjelm, DE   Lines, S
Ludwig, JW       Marshall, GM
McAllister, J    McEwen, A (teller)
McLucas, J       Moore, CM
O'Neill, DM      Polley, H
Singh, LM        Sterle, G
Wang, Z          Wong, P

Question agreed to.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (18:46): I move:

______________________________
CHAMBER
That the provisions of paragraphs (5) and (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings.

Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016
Trade Legislation Amendment Bill (No. 1) 2016

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

The Senate divided. [18:48]

(The President—Senator Parry)

Ayes .................... 37
Noes .................... 24
Majority ............... 13

AYES

Abetz, E
Bernardi, C
Bushby, DC
Di Natale, R
Fawcett, DJ
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Rhiannon, L
Ryan, SM
Siewert, R
Smith, D (teller)
Whish-Wilson, PS
Xenophon, N

Back, CJ
Birmingham, SJ
Canavan, MJ
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Johnston, D
Ludlam, S
McGrath, J
McKim, NJ
O’Sullivan, B
Reynolds, L
Rice, J
Scullion, NG
Simms, RA
Waters, LJ
Williams, JR

NOES

Brown, CL
Cameron, DN
Dastyari, S
Gallagher, KR
Lambie, J
Leyonhjelm, DE
Ludwig, JW
McAllister, J
McLucas, J
O’Neill, DM
Singh, LM
Wang, Z

Bullock, JW
Conroy, SM
Gallacher, AM
Ketter, CR
Lazarus, GP
Lines, S
Marshall, GM
McEwen, A (teller)
Moore, CM
Polley, H
Sterle, G
Wong, P

Question agreed to.
Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (18:50): I table statements of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statements incorporated in Hansard.

Leave granted.

The statements read as follows—

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE
IN THE 2016 AUTUMN SITTINGS
BUSINESS SERVICES WAGE ASSESSMENT TOOL PAYMENT SCHEME AMENDMENT BILL

Purpose of the Bill

The bill will increase payments under the Business Services Wage Assessment Tool Payment Scheme from 50 per cent to 70 per cent of the difference between the actual wage paid to the eligible person and the amount they would have been paid under the productivity-only component of the Business Services Wage Assessment Tool, and make associated amendments to improve the payment process.

The bill will also extend all relevant scheme dates by 12 months so people have more time to register for the scheme and submit applications.

The amendments will give effect to a recently mediated settlement agreement between the Commonwealth and the Applicant in a representative proceeding in the Federal Court of Australia (Duval-Comrie v the Commonwealth VID 1367/2013). If the bill is passed and the terms of the settlement agreed by the Federal Court, the representative proceeding will cease.

Reasons for Urgency

The payment scheme, as amended by this bill, is the method agreed by the parties to settle the representative proceeding.

Passage in the Autumn sittings would allow the 10,000 people with intellectual disability affected by the representative proceeding to claim and receive their agreed increased payments quickly.

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE
IN THE 2016 AUTUMN SITTINGS
TRADE LEGISLATION AMENDMENT BILL (NO. 1)

Purpose of the Bill

The changes proposed in Schedule 1 of this Bill (to the Export Market Development Grants Act 1997) allow the Export Market Development Grants (EMDG) scheme to continue beyond 1 July 2016, by amending the definition of a grant year. At the same time, a number of other minor policy and technical amendments will be made to ensure the continued effective and efficient operation of the scheme. Some of these changes introduce cost-saving measures that will help to bring scheme demand closer in line with the Budget.

The changes proposed in Schedule 2 of this Bill seek to change the name of the Australian Trade Commission to the Australian Trade and Investment Commission, and the consequential changes required to other Acts of Parliament resulting from this change.

Reasons for Urgency

Schedule 1: The Export Market Development Grants Act 1997, as it currently stands, does not make provision for a grant year past 30 June 2016. The Act must be amended if the EMDG scheme is to continue to operate past this date.
A number of the measures in this bill are cost-savings, and they are being introduced to help bring scheme demand closer in line with the budget. Failure to have these measures in place by 1 July 2016 will mean that they are introduced and communicated retrospectively. As they reduce an applicant's entitlement to a grant, this would not be a satisfactory outcome.

Delaying passage of this bill would cause unnecessary uncertainty for small businesses, and undermine the purpose of the scheme. Having the amendments passed during the Autumn Session will provide certainty for Australian small and medium-sized exporters, who will be planning their 2016-17 marketing strategies at that time.

Schedule 2: The Government has placed increasing priority and importance on attracting foreign investment into Australia to help secure Australia's future prosperity. Changing the name of the Australian Trade Commission to the Australian Trade and Investment Commission highlights this importance.

Second Reading

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (18:50): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

BUSINESS SERVICES WAGE ASSESSMENT TOOL PAYMENT SCHEME AMENDMENT BILL 2016

This Bill will amend a payment scheme established by the Business Services Wage Assessment Tool Payment Scheme Act 2015 to give effect to a recently mediated settlement agreement between the Commonwealth and the Applicant in a representative proceeding in the Federal Court of Australia (Duval-Comrie v the Commonwealth of Australia VID 1367 of 2013).

The Australian Government provides funding to Australian Disability Enterprises through the Disability Services Act 1986 (Cth) to provide employment support to workers with moderate to severe disability. There are 184 organisations supporting around 20,000 workers with disability in such employment across Australia. Australian Disability Enterprises can use wage tools prescribed in the Supported Employment Services Modern Award 2010 to determine pro-rata wages for workers with disability. The Business Services Wage Assessment Tool the subject of the Federal Court proceeding was previously used for this purpose.

In 2012, two supported employees were found through a separate Federal Court decision to have experienced indirect discrimination under the Disability Discrimination Act 1992 (Cth), because their wages were assessed under the Business Services Wage Assessment Tool based on both their productivity and competency (Nojin v the Commonwealth of Australia [2012] FCAFC 192). The subsequent representative proceeding on behalf of a limited group of supported employees was also initiated and remains before the Federal Court of Australia. The applicant seeks compensation calculated on 100 per cent of the difference between the wages they were paid and the wages they would have been paid if their wage was assessed based only on their productivity.

As a result of the earlier Federal Court decision, the Commonwealth Government established the Business Services Wage Assessment Tool payment scheme in 2015, which has been providing one-off payments to eligible supported employees of Australian Disability Enterprises at 50 per cent of the difference between the wages they were paid and those they would have been paid if the competency component was not included in the wage tool.
The Commonwealth's payment scheme is helping to provide certainty to supported employees that their employers will not close because of concerns about employers' perceived liability for discrimination following that earlier Federal Court case.

With significant Commonwealth support, Australian Disability Enterprises are commercial businesses employing people with disability who need support to stay in paid work. These supported employees are paid wages using revenue from the enterprises’ business activities.

There are 184 organisations operating Australian Disability Enterprises in communities across Australia – supporting 20,000 workers with moderate to severe levels of disability.

Supported employees are paid a pro-rata wage. Their wage is determined using a wage tool stipulated in the Supported Employment Services Award 2010, which is one of the 'modern awards' in the Commonwealth workplace relations system.

The Business Services Wage Assessment Tool was one of these wage tools. It was developed by the Australian Government in consultation with stakeholders, and was first used in 2004. The tool determined a worker's wage by measuring both their productivity and competence in performing a job.

On 16 December 2015, the Commonwealth announced that a settlement had been agreed with the Applicant in the representative proceeding before the Federal Court. The amendments in this Bill will give effect to that settlement agreement.

If the Bill is passed, and the terms of the settlement are agreed by the Federal Court, the representative proceeding will be dismissed by the consent of the parties, and the supported employees concerned, along with their families and carers, will move into a more stable and certain future.

Importantly, the terms of the settlement are supported by advocates for supported employees, including the AED Legal Centre and People with Disability Australia, who have called it 'an outcome which sees wage justice for these employees'.

The parties have agreed to settle if, amongst other matters, the payments under the current scheme are calculated at 70 per cent of the difference between the wages the person was paid and the wages that would have been paid if only the productivity component of the Business Services Wage Assessment Tool had been used, that is, not including the competency component of the wage tool. Under the current legislation, a person receives 50 per cent of the difference.

If employers had used productivity-only tools, it is clear that the average wage of supported employees would have been higher. But this undoubtedly would have raised employers' labour costs. It is equally clear that some employers would have responded by reducing employees' work hours, or even stopped hiring some or all supported employees. In these circumstances, the important benefits of supported employment for the employees, their families and carers would have been lost.

The parties have taken initial steps to overcome these difficulties, and have reached a payment amount that is fair to all of the relevant eligible supported employees.

The payment scheme is currently available to all intellectually impaired persons. While the representative proceeding represents a more limited class of employees, the Commonwealth, via this Bill, will ensure that everyone eligible under the scheme will receive the increased payment. The Government has taken this approach to maximise equity between all supported employees with intellectual impairment who were paid wages under the tool.

Under the current Act, eligible supported employees will only be paid if they register for the scheme by 1 May 2016. This Bill extends the dates for registering, applying for, and accepting the payments from the payment scheme by 12 months so people have more time to register for the scheme and submit applications.
The Bill will also allow a deceased person's legal personal representative to engage with the payment scheme on their behalf. The money that would have been paid to the person, if the person were eligible and the offer accepted will now be able to be paid to the person's estate.

Importantly, the Bill does not remove or weaken any of the protections of the current Act. For example, the payment scheme retains key features that provide supported employees with choice and control, including:

- the applicant's ability to nominate a person to assist them with the payment scheme and be appointed as a nominee;
- the ability for applicants to seek both internal and external reviews on decisions regarding eligibility and offers of payment;
- extension of times for acceptance period and review period; and
- the ability for applicants to seek financial counselling and legal advice, at the Commonwealth's expense.

Any person who has already received a payment under the Business Services Wage Assessment Tool payment scheme will receive a top-up to reflect the increased payments provided by this Bill. Importantly, people will not have to make an application or seek further legal advice or financial counselling to receive these top-ups.

The Bill will still allow people who have received offers of payment to seek independent legal advice and financial counselling. The Bill will amend the legal advice provision to be voluntary, rather than mandatory. This will remove a current impediment to participants receiving their payments quickly, especially for those who receive small offers of payment. Access to these services continues to be funded under the scheme by the Commonwealth, and the Government remains committed to ensuring people are able to make informed choices about their access to payments as a result of previously having been assessed using the Business Services Wage Assessment Tool.

People receiving payments under the scheme are eligible for a lump sum in arrears tax offset. In addition, a payment under the scheme does not count as income, which therefore reduces the risk of affecting an individual's social security entitlements. Payments under the scheme are also indexed to the Consumer Price Index rate for each year in the period relating to payment amounts. The effect of these protections and enhancements is to effectively increase the payments made to individuals under the payment scheme.

To ensure people participating in the scheme have the opportunity to provide further information regarding their applications or raise any concerns, the scheme will have both internal and external review processes.

Self-evidently, any person previously assessed using the Business Services Wage Assessment Tool has a choice as to whether they receive a payment from the Tool payment scheme. As with the resolution of any legal claim, if a person accepts an offer under the payment scheme, they will be unable to make any further claims in relation to the assessment of wages under the Business Services Wage Assessment Tool.

As part of the representative proceeding's processes, class members have had an opportunity to opt out. As agreed with the other parties to the representative proceeding in the Federal Court, if this Bill is passed by the Parliament and the terms of the settlement are accepted by the Court, the proceeding will be dismissed.

Nonetheless, this Bill does not take rights away from individuals who are not members of the class currently before the Federal Court. As long as they have opted out of the proceeding or never joined it, people who disagree with the terms of the settlement or the payments offered by the payment scheme can choose to continue to pursue their rights through the courts. Neither the current payment scheme, nor the proposed amended form of the scheme, prevents an individual from making that choice.
The Commonwealth Government is of the firm view that the Business Services Wage Assessment Tool payment scheme provides the most favourable outcome for employees, their families and carers by removing any perceived liability on the part of supported employers, Australian Disability Enterprises, who have previously used the Business Services Wage Assessment Tool to assess the wages of their employees.

Self-evidently, it is both economically rational and socially just to support employment for people with disability. This Bill is one of many measures that the Government has put forward to achieve that important goal. These include funding to help the supported employment sector transition to new wage arrangements and funding to help the sector become more independent, sustainable and robust.

Together with the improved payment scheme proposed in this Bill, these additional measures demonstrate the Government's commitment to help to ensure all forms of employment for people with disability are widely available and secure for the future.

TRADE LEGISLATION AMENDMENT BILL (NO. 1) 2016

The changes proposed in this Bill, the Trade Legislation Amendment Bill (No. 1) 2016, give effect to several key recommendations resulting from the 2015 Review of the Export Market Development Grants (EMDG) scheme conducted by Mr Michael Lee in the second half of last year, as well as making several minor policy and technical amendments designed to improve the operation of the Export Market Development Grants Act, and to make changes designed to deliver savings to align the scheme closer to its budget.

The changes proposed in this Bill also change the name of the Australian Trade Commission to the Australian Trade and Investment Commission.

EMDG celebrated its 40th anniversary last year, and since 1974, has been reviewed fifteen times, with ongoing bipartisan support for the Scheme. These reviews have consistently found the scheme to be an effective and efficient means of promoting the development of Australian exports under successive governments. The most recent review concluded that EMDG is effective in conferring a net benefit to the Australian economy and community, with increased economic activity across the economy and enhanced community welfare attributable to the scheme.

Given this background, and the many amendments that have been made over the years to reflect changing economic circumstances and budget decisions, major changes to the scheme are not warranted at this time. Indeed, in his 2015 review report to me in June last year, Mr Michael Lee stated, "My recommended changes to the scheme will add certainty and confidence to long-term planning for exporting businesses, governments and Austrade. I am recommending few significant changes to the scheme…." The changes proposed in the bill are designed to update and/or rationalise some of the provisions of the scheme, including some of the changes recommended in the 2015 Review.

Specifically, the purpose of this Bill is to amend the Export Market Development Grants Act 1997 (the Act):

- to amend the definition of a grant year, which is currently up to 30 June 2016. In effect, this will make the scheme evergreen, so that the scheme can continue beyond that date and will remove the need for periodic re-authorisation which creates significant uncertainty with SME claimants, and undermines the purpose of the scheme. Given it has enjoyed over 40 years of bipartisan support, it is of little benefit to subject the scheme to 4-yearly sunset provisions
- to remove the requirements that the independent review of the scheme be conducted for the specific purpose of making recommendations about the continuity of the scheme – not necessary given we are removing the sunset provisions - however we do see benefit in continuing to review the operation of the scheme from time to time, so the bill sets a date for the next review, and determines a process for later reviews
to remove communications as an eligible expenditure category to reflect the reduced cost of communications as a result of advances in technology

to place a limit of $15,000 on the free sample expenditure category. This cap will not be applied retrospectively to first-year claimants with a combined year 1 and 2 claim, who were not aware of this cap at the time they incurred their expenditure.

to describe the promotional literature or other advertising expenditure category as including literature or material in electronic or any other form

to repeal the provision for in-country travel expenses to be reimbursed, (other than air fares) and to change the amount of the daily allowance for overseas visits from $300 to $350

to add to the list of excluded expenses those relating to eligible promotional activities, things or eligible products that, in the opinion of the CEO of Austrade, may have had a detrimental impact on Australia's trade reputation

to permit Austrade to direct funds from other sources towards EMDG administration costs if required

I am introducing this bill at this time to enable it to come into effect on 1 July 2016, in order to provide exporters with certainty of the EMDG provisions applicable to their export promotions activities for the 2016-17 financial year and beyond.

At the same time I am also introducing an amendment to the Australian Trade Commission Act 1985 that will change the Commission's name to the Australian Trade and Investment Commission.

This name change will better reflect both the Austrade's significant role in promoting and attracting foreign investment and the priority the Government places on attracting foreign investment to secure Australia's future prosperity. Since becoming Australia's first Trade and Investment Minister, I have seen there is significant value in a regular dialogue with major investors in Australia, both foreign direct investors and portfolio investors. Australia has relied on foreign capital to grow since the days of the first fleet, and this continues to be the case. We are the world's 12th largest economy, with the 6th largest land mass, but with the 51st largest population. So we consistently generate more attractive investment opportunities than we can fund from our own pool of domestic savings, and the country is the wealthier for it, with higher paying jobs, by harnessing foreign investment to capitalise on and develop such opportunities. Note that I do not propose to change the corporate moniker 'Austrade' as this name and brand carries significant goodwill with business in Australia.

I commend the bill to the House.

**Senator FIFIELD:** I move:

That the debate be now adjourned.

**Senator MOORE** (Queensland) (18:50): I seek leave to make a statement relating to the request the minister has just made.

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

**Senator MOORE:** The minister has just sought to have a process put in place to adjourn the debate. We have been lectured for the last few minutes on how important it is to have the BSWAT legislation brought forward. I have offered the minister the opportunity to move straight into a debate on BSWAT. I am ready to go. I am speaking for the opposition on this business. This offer was made to the minister in good faith. We have listened to the position put forward by the Greens that this was so important we had to bring it forward. We have not had that discussion. No-one had told us what they wanted to do previously.

I am ready to go with BSWAT; the opposition is ready to go with BSWAT. We want to debate this bill. We have listened to the argument about how important it is. We care—which
Senator Macdonald has been lecturing us about all the way through. I wish to put on record that we have listened; we are prepared to have the debate. We want to know why it cannot be brought on now for debate, because we were told only recently of its importance. *(Time expired)*

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (18:52): I seek leave to make a short statement.

**The PRESIDENT:** Leave is granted for five minutes, Senator Fifield.

**Senator FIFIELD:** The purpose of seeking an exemption from the cut-off is so that a particular bill can be dealt with in the current sitting. You may have noticed, Mr President, that, if you look at the red, those opposite have prevented this chamber making orderly progress through the bills listed on the red. What we sought earlier today in housekeeping, in the ordinary course of events, was for the cut-off to be exempted for a number of bills, and those opposite—I am speaking now in relation to the list of non-controversial bills—decided, like everything else this week, that they would be, and I think the technical term is, bloody minded. Those opposite denied leave for an exemption from the cut-off for even non-controversial bills. What we are seeking to do here is—hopefully, we have been successful—to exempt a couple of bills from the cut-off so they can be dealt with in the current sitting. Whether that happens or not is entirely dependent on whether those opposite continue to filibuster—as they are currently doing on the message from the House in relation to the electoral matters bill. They have been going for six, eight, nine hours, speaking to the message from the other place to do with the electoral matters bill.

If ever there was a concrete example of filibustering and sheer bloody mindedness we have seen it over the last day and a half. So no pious lectures from those opposite, we are simply endeavouring to engage in what are usually routine procedural matters so that we can deal with business in an orderly way. I will conclude my remarks here, so that we can get on with business.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (18:54): I seek leave to make a short statement.

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

**Senator WONG:** What? I would ask the Manager of Government Business to show me the courtesy that we have shown him. We can move suspension—is that what you would like to do?

**The PRESIDENT:** I need direction here to give direction to the clerks. Has leave been granted for a period longer than one minute? Leave is granted to two minutes, Senator Wong.

**Senator WONG:** We just had a lecture from the Manager of Government Business about sheer bloody mindedness. I want to remind people why it is that the opposition is seeking to have the debate we are having and why we will not be facilitating passage of the electoral reform bills. It is because we do not believe this is good legislation. We do not believe that legislation that imposes the largest changes in three decades on this parliament and on the Australian people for an election should be rushed through just because the government wants to rush to a double dissolution election with the assistance of the Greens. We do not believe that is good for Australian democracy. I will remind the Greens of the evidence that was
given to the joint standing committee by Antony Green, whom they have cited in debate on many issues in this chamber. He said that the most likely outcome is blocking majority for the coalition. So in years to come, if this legislation goes through and the coalition imposes its radical right-wing agenda on the Australian people, we will be blaming you, because you have come in here with your piety and you have lain in bed with the government on this issue. All of us will remember it.

*Honourable senators interjecting—*

**The PRESIDENT:** Order!

**Senator Ian Macdonald:** On a point of order, Mr President. In your absence the Deputy President made an order in the run up to this debate that senators should not refer to people as 'you', but should speak through the chair. I am sure Senator Wong was here—and she has been here long enough to know that. Mr President, I would raise a further point of order: it is impolite and bad manners to point at anyone, as this particular speaker continues to do.

**The PRESIDENT:** I would remind all Senators to address the chair, and not to direct your remarks directly to other senators or across the chamber.

**The PRESIDENT:** The question is that the motion that the debate be now adjourned be agreed to.

The Senate divided. [19.02]

(The President—Senator Parry)

Ayes .................. 37
Noes .................. 23
Majority .......... 14

**AYES**

Abetz, E
Bernardi, C
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Rhiannon, L
Ryan, SM
Siewert, R
Smith, D (teller)
Whish-Wilson, PS
Xenophon, N

**NOES**

Brown, CL
Collins, JMA

Bullock, JW
Conroy, SM
Question agreed to.
Ordered that the bills be listed on the Notice Paper as separate orders of the day.

**Communications Legislation Amendment (Deregulation and Other Measures) Bill 2015**

**Consideration of House of Representatives Message**

Message received from the House of Representatives informing the Senate that the House has disagreed to the amendment made by the Senate and requesting the reconsideration of the bill in respect of the amendment disagreed to by the House.

Ordered that consideration of the message in Committee of the Whole be made an order of the day for a later hour.

**Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014**

**Social Services Legislation Amendment (Family Measures) Bill 2015**

**Tax Laws Amendment (Implementation of the Common Reporting Standard) Bill 2015**

**Returned from the House of Representatives**

Messages received from the House of Representatives agreeing to the amendments made by the Senate to the bills.
Messages from the Governor-General reported informing the Senate of assent to the bills.

Corporations Amendment (Crowd-sourced Funding) Bill 2015

Report of Legislation Committee

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (19:06): Pursuant to order and at the request of the chair, I present the report of the Economics Legislation Committee on the Corporations Amendment (Crowd-sourced Funding) Bill 2015, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill (No. 2) 2015

Report of Legislation Committee

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (19:06): Pursuant to order and at the request of the chair, I present the report of the Community Affairs Legislation Committee on the Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill (No. 2) 2015, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Commonwealth Electoral Amendment Bill 2016

First Reading

Debate resumed on the motion:

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

Senator STERLE (Western Australia) (19:07): It is nice to have so many fans around waiting for my contribution on this bill. It is just tremendous. Following the result of the 2013 federal election, it is important that everyone understands that the parliament's Joint Standing Committee on Electoral Matters in their inquiry found that Senate outcomes are affected by pop-up parties gaming the system and then manipulating outcomes to enable the election of candidates who have polled very small numbers of votes. In May 2014, through the multi-party report, the committee recommended that the system of registering political parties be made more rigorous, group voting tickets be abolished for the Senate and a system of optional
preferential voting be introduced. Since then, there has been constant speculation on what path the government would take with its plans for reform. Last week, however, the Prime Minister finally released his plans for Senate reform, which, with the support of the Greens, not only would benefit the coalition in the Senate but also could wipe out the minor parties and independents by making it much more difficult to engineer preference deals and game the system to get elected.

Do not get me wrong. We should consider ways of removing incentives for gaming the system. There is no argument about that. However, this Liberal-Greens deal disenfranchises people who vote for small parties or independents, discourages people from standing for the Senate or from organising new parties, and reduces participation in our political system. None of that could be good for our democracy. It is crucial that we get the balance right with this reform. We will not achieve that, however, if we accept this grubby backroom deal and approve it through this parliament. Madam Deputy President, I keep tending to look at the Greens, but I think I will get yelled at for looking at them, so I must encourage myself to address my comments through you. This is an insider stitch-up by the government with that lot over there, the Greens, to get their sneaky policies through the Senate—policies like the $80 billion cuts to schools and hospitals, cuts to Medicare and $100,000 university degrees. How could we forget them?

I remind the Senate that this is not the first time the Greens—and I will look at them—have done sneaky, grubby deals with the government. Since Senator Richard Di Natale took over as Leader of the Australian Greens, they have voted with the government in the Senate to cut age pensions by $2.4 billion. They voted to pass Mr Abbott and Mr Hockey's budget measures, cutting the age pension for 330,000 elderly Australians. That was done in June 2015. They have also let big companies keep secret how much tax they pay. The Greens voted to defeat Labor amendments requiring large private companies making more than $100 million in profits to publicly disclose how much tax they pay. They did that in December last year. They—the Greens, over there; that lot in the corner—have also joined forces with the government to deter job-creating investment. They voted with the Liberals and the Nats to erect new barriers against investment by reducing Foreign Investment Review Board screening thresholds for proposed investments in agriculture and agribusiness. That they did in November 2015. The Green also could not wait to do the deal with the government—the Liberals and the Nats—when they ignored expert advice on medical research funding. They voted for legislation allowing the health minister to make multimillion dollar medical research funding decisions without following the recommendations of the independent expert advisory body. That they did in August of last year. That lot in the corner, the Greens, also joined forces with the government to defeat a motion for the government to buy 12 locally-built submarines. They voted with the government to amend a motion calling on the government to support local manufacturing jobs by honouring its election promise to procure 12 future submarines for the Royal Australian Navy through a local build—Australian jobs; remember that—only in September last year. They voted with the Nationals in the Senate to call for the introduction of an effects test in competition law that would chill competition and put upward pressure on consumer prices in September last year.

All of these deals have been done purely as an act of naked self-interest, and this one is no different. This is not a deal that is in the national interest. It is one that suits them. It suits the
Greens and it suits the government. It is designed for one thing and one thing only: to rid the Senate of minor parties and the independents. Tell me how that could be good for democracy?

I would like to have a look at a few numbers. At the last election, 25 per cent of voters—that is 3.3 million Australians—did not vote for Senate candidates representing the coalition, the Greens or Labor. Under the Liberal-Greens deal, millions of votes like these will be exhausted under Mr Turnbull's new laws. How could that be democratic? Think about that for a minute. As of today, Australia's population is 24,013,786. Since I wrote that, it has probably popped up by a few hundred. But, thanks to the Greens, the Liberals and the Nats, 25 per cent of those Australians who are eligible to vote will, in fact, have their votes discounted. All this grubby deal will mean at the end of the day is that more coalition senators will be elected. The deal will make it likely that the coalition will win at least three of the six Senate positions in each state in a normal Senate election. That will make it far easier for the coalition to achieve a Senate majority. If the reforms go through, the coalition would have a majority, which would mean that they would not have to negotiate with any other parties. We remember the last time that happened. The Howard government passed its controversial Work Choices laws. If Mr Turnbull achieves a majority in this place, heaven knows what other disastrous and harmful pieces of legislation like Work Choices the Conservatives will push through this chamber. If that happens, heaven forbid, we know who to point the finger at.

Have the Greens forgotten everything that the former Prime Minister, Mr Abbott, and the current Prime Minister, Mr Turnbull, tried to do in order to abolish the Climate Change Authority and the Clean Energy Finance Corporation? The Greens, on their website, say that the Greens' Plan for a Better Australia includes a clean economy, a caring society and a healthy environment. I reckon they can kiss all that goodbye with this deal, as you can bet your bottom dollar that this government will continue to rip funding away from those in our society who need it the most and from environmentally friendly programs.

Let us put into perspective what a coalition majority in the Senate means. A coalition majority in the Senate would mean that Mr Abbott's 2014 budget would be law. We would have $100,000 university degrees, Medicare co-payments, cuts to the age pension and young people waiting six months to access unemployment benefits. This would all be a reality, thanks to the support of the Greens.

Australians expect the Senate to continue as a check on the government of the day, not as a rubber stamp that passes legislation without proper review. The dangers of ramming this legislation through have already been exposed. The day after introducing the bill to the House, the government was forced to rewrite the bill to fix a mistake. The original bill would have prevented assistant returning officers from counting Senate first preferences on election night. If it were not for Mr Antony Green pointing it out, this error would have gone unnoticed. As a result of this error being discovered, on 24 February the government had to rush in six amendments to the House of Representatives to fix the mistake. This mistake makes me wonder: how many more mistakes are there in the bill?

As I said, the dangers of ramming this legislation through have already been exposed. Furthermore, an increasing number of experts have now rejected the Liberal-Green Senate voting deal and called for different approaches or at least warned that, without adequate scrutiny, it risked creating adverse consequences. Those joining the growing chorus of
opposition to this bill being rammed through the Senate include none other than Mr Malcolm Mackerras, the eminent election expert and political scientist, and he has said:

It is not about fairness. It is about the re-shaping of our party system. South Australia is to have a four-party system, Liberal on the right, Xenophon in the centre and Labor … on the left—

and the Greens on another planet—

The rest of Australia is to have a three-party system, Coalition, Labor and Greens. There will be no independent senators, unless Jacquie Lambie can get a short term—

a short term, not a long one—

at a 2016 double dissolution election.

There will be only one benefit for voters. The ballot paper will be smaller.

Mr Ross Gittins, the respected Economics Editor of The Sydney Morning Herald, has said:

… we need time—the usual Senate public inquiry would do—to hear from the experts and examine the properties of the voting system one side of politics has come up with and wants to ram through.

If the Coalition has proposed a move to optional preferential voting, allowing people to express their preference for up to six party groupings, it's a fair bet it believes such a system will advantage it over its Labor rival.

How can you argue with that?

If the left-leaning Greens and centrist Xenophon party are happy to give the Coalition what it wants, it's a fair bet that's because the deal leaves room for their comfortable survival, while raising the drawbridge against the emergence of new minor-party rivals of either leaning.

Mr Richard Denniss, the former head of The Australia Institute, who has a long history of expertise in Senate voting arrangements and a commitment to progressive causes, has said:

… the best way to avoid real scrutiny of a new law is to swamp people with more detail than they can comprehend—while telling them a simple story about 'the big picture'. Take for example the current debate about Senate reform. …

The Bill describing the biggest changes to the way we elect senators in 30 years was released to the public on Monday—

of this week—

and the government and the Greens have agreed that there is no need for a public inquiry into its likely impacts, and it is believed that the bill will become law in just two sitting weeks. Most alarmingly, they have agreed that the new laws should take immediate effect which means that weeks after the creation of the new laws an election … could be called. What could go wrong?

I seek leave to continue my remarks.

Leave granted; debate adjourned.

**ADJOURNMENT**

**The ACTING DEPUTY PRESIDENT (Senator O'Neill) (19:20):** Order! I propose the question:

That the Senate do now adjourn.

**Education Funding**

**Senator POLLEY (Tasmania) (19:20):** Last week, we started to see something that is quite unusual in this place. We saw a couple of those opposite express the fact that they actually care what happens in our classrooms and about the challenges that are facing our
schools. Unfortunately, those opposite failed to identify the biggest challenges facing the Australian school system—that is, this government and this government's policies. If those opposite really cared about the education that Australian children are receiving, we would hear them speak up about the fact that their own government intends to rip $30 billion out of the Australian education system.

We know that these cuts will be detrimental and have a huge impact on every school's ability to improve literacy and numeracy in the classroom and we know that these cuts will disadvantage our children and limit the opportunities and possibilities that a quality education can provide.

The Prime Minister likes to talk about how important innovation is for Australia's future, but the simple reality is that we cannot be an innovative nation without investing in a world-class school education system. If we take a close look at Mr Turnbull's actions when it comes to innovation, they all have a negative impact on Australia's ability to be the innovative nation we want for the future.

This is a Prime Minister who promised ideas but has delivered an education bust, a Prime Minister who says that he supports innovation but who is still committed to $100,000 degrees and is sacking hundreds of world-class researchers at the CSIRO. That says it all about the commitment that this government and this Prime Minister have to education in this country. This Prime Minister can talk as much as he likes—and we all know how much he likes to talk—but he is a Prime Minister who will ultimately be judged on his actions, and his actions undermine education and innovation in Australia in every single way.

In my home state of Tasmania we know that the Liberal government has ripped $154 million from school funding in the electorate of Bass, where I live. That is $154 million gutted out of education. We know that every school in Bass will be worse off because of Mr Malcolm Turnbull and his government's cuts to education. The Liberal government's $30 billion cuts over the next decade will see an average of $3.2 million cut from every school, which is the equivalent of losing one in seven teachers. The current member for Bass, Mr Nikolic, has failed to stand up for his electorate to deliver funding for education—not just for the private sector but also for the public sector. The government's actions say it all when it comes to their priorities. We know that the $30 billion cuts to our schools will lock Australian students into inequality and will mean that students who need the most help will be pushed further behind.

We cannot afford to stick with the Turnbull government's school education policies, because we will fall too far behind. Whilst the Liberal Party have no vision for the future of our education system, we have a comprehensive plan to invest in our children's future. We recognise that our nation's performance is slipping and that we must invest in our schools and in our children's future. We on this side of the chamber understand that the need to address inequality and improve outcomes in our schools is more urgent than ever. That is why, with the education policy that we have announced—Your child. Your future—we are investing in a positive plan. We are prepared to invest in every single child in this country to ensure that they reach their potential, and they deserve nothing less.
Agriculture

Senator WILLIAMS (New South Wales) (19:25): I would like to talk about the great future that we see for agriculture. The price of cattle is amazing. The people who are doing it really tough are those that have had severe drought for many years, especially in western Queensland and areas of western New South Wales. Sadly, they have had to destock and cannot benefit from the good cattle prices.

I went to the Inverell saleyards in January 2014. Prime steers were making a $1.60 a kilo, so a 400 kilo steer was about $640. They were making $2 per kilo in 2001, so that 400 kilo steer would have made $800. That is 20 per cent less than they were in 2001. Imagine if you had workers being paid $1,000 in 2001 and just $800 in 2014. How could they survive? It would be very difficult. Now those steers are making up to $3 per kilogram, and the young ones even more. Now, instead of $600, they are getting $1,200 and $1,300 a steer. It is looking very optimistic.

I would like to pay tribute to my good friend, the now Leader of the Nationals, Deputy Prime Minister and Minister for Agriculture and Water Resources, Mr Barnaby Joyce, for the way he has approached his position and gone out there to deliver more money to the farm gate. More money to the farm gate means more money being spent in the country towns and businesses, and it means job security.

I was quite amazed yesterday when Senator Cameron was talking about the dairy bill. His attack on Minister Joyce was amazing. He said Minister Joyce was pork barrelling when he set up a ministerial office in Tamworth. Well, no he did not. He set up a ministerial office in Armidale. He has his electorate office in Tamworth. Senator Cameron was simply wrong. But, of course, most of Senator Cameron's speeches in this place are simply about attacking the government and fiercely attacking a minister who is doing a great job.

The $4 billion white paper that Minister Joyce achieved for agriculture is building dams, building markets and, as I said, delivering that money to the farm gate. What else has Minister Joyce done? As at 31 January, $413 million in approved concessional loans products has been provided to 778 farm businesses. The government is paying out an average of $1.35 million per week in farm household allowance for more than 5,700 farmers. It is a situation where these people are in terrible drought, and they need money to put some food on the table. It is a great package. There is a doubling of investment in the Rural Research and Development for Profit program to $200 million.

There is $15 million for pest, weed and animal control activities in drought affected communities. This is a big issue. We have too many vermin. They are too many wild dogs, which are destroying the sheep industry. They are even affecting the cattle industry in a big way. We need to get rid of these vermin—the wild dogs, wild pigs and wild goats—which have caused so much environmental damage and so damage to the industry. It is good to see that the minister and the government are putting money into those very important projects to provide some real assistance to address this issue.

Country-of-origin labelling is something I have been on about for 20 years—since I was a pig farmer and we were importing pig meat from places like Canada and Denmark—to let people know exactly what they are buying. We need to tell the people of Australia to eat their clean, green, Aussie grown food, which is now so popular around the world—that is why
there is a huge demand for the food we produce here. Minister Joyce is one of the key drivers of country-of-origin labelling.

There are new foreign investment laws. I think foreign investment is essential. Where they invest in our country they should grow jobs, production and exports, and we should have a national interest test that shows that. They should not simply come in and buy our fully developed farms, take the profit out of our community and back overseas, and not employ more people. We changed those laws from $252 million down to $15 million cumulative. That was done by Minister Joyce, supported by everyone in the National Party and, thankfully, our coalition colleagues, the Liberal Party, when they had a committee chaired by Warren Truss, when in opposition. That is what led to these changes.

We have regulations on our houses. Foreigners cannot buy our houses, so why can they buy our farms willy-nilly? Foreigners can buy our houses on developments—off the plan et cetera—and we welcome investment where they are going to grow jobs. But I think the future for agriculture is looking so good with our good quality food that we need to keep our country protected from diseases. That is why AQIS and the funding for it is so important. The image we have built around the world now is that, if people buy Australian food, they know they can eat it with total confidence. The quality is magnificent. It is a big employer. It is good to see that the second largest import now, overtaking coal, is agricultural produce. It is a big industry that is worth billions to our country and it has a great future ahead of it.

Tibet

Senator SINGH (Tasmania) (19:30): I rise to highlight that this afternoon here in Parliament House I joined a Tibetan delegation of former political prisoners, youth activists and community leaders to discuss the human rights situation in Tibet. In particular, they raised with me the effect of China's policies on Tibetan nomads and the environment. Their stories were both confronting and sad. But they inspired the need to demand a peaceful solution that provides freedom for Tibet and Tibetan people.

I am deeply passionate about the pursuit of human rights as well as environmental preservation for the people of Tibet. The Tibetan plateau is an area so precious and unique it is widely known as the earth's 'third pole'. As the world's largest and highest plateau, with an average height of 4,500 metres above sea level, it is a place of truly special and unique biodiversity. It is the primary habitat of some of the world's rarest wildlife such as the Tibetan antelope and snow leopard, as well as more than 5,000 plant species. And, of course, it features some of the world's highest and most spectacular mountains—including Everest, which it shares with Nepal.

But one precious natural feature makes the Tibetan plateau truly remarkable and truly fragile. That feature is water. The Tibetan plateau houses the largest reserve of accessible fresh water outside of the North Pole and the South Pole. It is the source of the earth's eight largest river systems—including the Yangtze, the Mekong and the Ganges—and helps provide fresh water for the world's 10 most densely populated nations. Yet this is all under threat. The International Campaign for Tibet has recently released a detail report titled *Blue Gold from the Highest Plateau: Tibet's Water and Global Climate Change*. It highlights the incredible environmental significance of Tibet. To quote the report:

Tibet is a climate change epicenter that is warming nearly three times as fast as the rest of the earth. Its glaciers are melting, and its permafrost disappearing. And instead of seeking to protect this fragile high
altitude ecosystem and address the significant challenges it faces, China's policies are reshaping the Tibetan landscape with devastating consequences.

Among those destructive policies, the report cites state owned Chinese consortiums building major dams on the rivers running off the plateau. It details plans for a massive water diversion scheme to transfer water to drought ridden areas of northern China. The report attributes record levels of Tibetan water pollution to increased Chinese mining activities and the systematic displacement of nomadic Tibetan pastoralists from their land under the ironic pretence of 'environmental protection'.

I was pleased to endorse a similar report commissioned last year by the Australia Tibet Council called Tibet: An Environmental Challenge. That report makes clear Tibet's importance to the region and Australia in geopolitical, strategic and environmental terms.

Because of climate change, environmental degradation, economic exploitation and the displacement of nomads, whose history in Tibet is some 4,000 years old, there has never been a more important time to stand up for the people and environment of Tibet. Tibetan nomads are people who have worked the land in environmental harmony for generations and whose livelihoods depend on continuing to do so. Their management and stewardship of the local environment is vital for protecting and sustaining it. Yet this destruction of their culture and way of life is forcing Tibetan nomads into ghettos. To quote His Holiness the Dalai Lama:

This blue planet is our only home and Tibet is its roof. The Tibetan plateau needs to be protected, not just for Tibetans but for the environmental health and sustainability of the entire world.

As a world community, we must do more to highlight both the social and ecological plight of Tibet. That is why in desperation the International Campaign for Tibet calls on the nations of the world to directly challenge China's economic and environmental policies regarding Tibet.

I am proud that our parliament in the other place passed a joint motion yesterday regarding concern for Tibetan nomads, the significance of the Tibetan plateau and Tibetans having a say over the decisions that affect their land and livelihoods. I was incredibly moved by the young Tibetans I met today. I share their pain and frustrations. I stand with them for a free Tibet.

**Weston, Mr Jeff**

**Senator WHISH-WILSON:** One of the sad and frustrating things about being a senator is that you cannot be home when you want to be. I rise tonight to speak about an event that happened in an old fishing shack at St Helens in Tasmania today. A wake was held for Jeff Weston—a dear friend and very special man who passed away a few days ago. Jeff was an inspiration to me and many others in Tassie. Each person who knew Jeff over the years would no doubt have a different story. A lot of people have crossed his path, and some of their stories would be too colourful for *Hansard*.

I would like to tell the story of how I met Jeff and got to know him. I would like to record for posterity some of the colour of his extraordinary life and what he achieved. Interestingly, although Jeff has been around for a while—especially in the conservation and Greens movement—I only got to know Jeff fairly recently, when I became a senator. The story goes like this.

When I first started as a senator we had a big fundraiser with hundreds of people down on a little farm on the east coast of Tassie. It was at Klaus and Andy's farm at Piccaninny Point. It was a great event. Unfortunately Christine Milne and I had to rush to the airport to get to
Canberra. So we were only at the fundraiser for a couple of hours. But it went on all day and, no doubt, all night—as often these greens things do. A couple of weeks later—I was in Canberra for two weeks—my office got a letter from a Mr Jeff Weston. He said: ‘You tell that senator he has not contacted a single Greens member to thank them for putting on that fundraiser.’ What he said was actually really important. He said, ‘You tell the senator that if he doesn't water and nourish the roots, the Green tree will die.’ At first, I was a bit bloody annoyed myself, because I was working so hard and I had been away from my family for two weeks. I thought, ‘Geez, you don't get a break in this job.’ But when I actually sat and thought about it, I thought: ‘He's right. It wouldn't have taken much to pick up the phone and thank them for all their hard work.’ So I did that, and we became very good friends over the years.

Jeff was born on 4 November 1927. He passed away at the age of 88. He leaves his kids, Gillian, Mathew, Elliot and Nathan. He was raised on a farm at Lilydale and after school went on to become a phys. ed. teacher. As I learnt from him in later discussions, he became a teacher at Queenstown during the 1950s, and he continued to teach throughout his life. He travelled and had a passion for music, nature, health and helping to connect youth with all of these. He lived a very rich life as a father, a husband, an activist, a conservationist, a political candidate, a master networker, a bushwalker, an avid traveller, and a music lover. Through his work at Seaview Farm on the outskirts of St Marys, he was an early pioneer of nature based tourism. He cut a lot of the tracks that later went on to become the Douglas-Apsley National Park. In his final chapter of life, he was a mentor and inspiration to many people, such as me. He was also one of the first to pioneer the great Franklin River in the 1950s. He was in the first five people to actually do that. Of course, now the Franklin River is one of the greatest whitewater rafting experiences in the world.

He was a Greens candidate in 1972. I say 'Greens' a bit cheekily there, because back then it was called the UTG—United Tasmania Group. I understand that it was at a kitchen table meeting at his own farm, Seaview Farm, where the idea was formed to form the UTG, which later went on to become the Tasmanian Greens, then the Australian Greens and now the global Greens. It was actually born around Jeff's table that night. With many others, he has done a lot of other magnificent things. One of my favourites is that—with other stalwarts, like Rob Walls, Bob Graham and Helen Gee, very close friends of Jeff's, and others—he built the mythical Smiling Sam's Hut, a bushwalker's hut in the Douglas-Apsley National Park. They would not tell you where it was. I accidentally stumbled on it over summer when I was on one of the fire tracks on my mountain bike with my son. We are not telling anyone where it is either, but we will certainly be using it!

He had many good friends. Many of those people would have been at his wake today, including Liz Johnstone, a Wilderness Society campaigner, who I thank for her time that she has given me with Jeff over the years. He left me two legacies—two things that he wants achieved. He wants a new track cut to a very special section of rainforest—Myrtle and Sassafras rainforest in a dry square of forest where there should not be rainforest. He also wants me to set up a mountain-biking track in Queenstown near the Linda Café. He last spoke to me a couple of weeks ago when he told me I needed to get proper canvas pants for my kids when we go to find this rainforest. He will be dearly missed, and I am very glad I have had the chance to record his life on Hansard tonight.
Driscoll, Mr Kevin James, OBE, CBE

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (19:40): Tonight, I rise to provide condolences to the family of the late Kevin James Driscoll OBE, CBE, who passed away on 27 February 2016, aged 88. I would like to talk about Kevin Driscoll's larger-than-life character. He was hardworking and had an absolutely sharp intellect. He was a businessman whose individual contributions to the nation can be tracked not only across this great nation but across almost every sector of our industry.

Born on 10 July 1927, Mr Driscoll's childhood certainly remains a bit of a mystery to me. All I know is that he was the son of a Singer sewing machine salesman. Perhaps Kevin learnt a thing or two about business from his dad. In 1955, at age 28, Mr Driscoll went into business and earned his financial stake in the building and construction industry. Specifically, Mr Driscoll's company National Homes Pty Ltd was tasked with building houses in Queensland mining towns. Mr Driscoll worked his way up the building industry and became the founding President of the Queensland Home Builder's Association, which later merged with the Queensland Housing Industry Association. In this combined organisation, Mr Driscoll fulfilled the role as president until he was elected National President of the Housing Industry Association in 1966.

In 1968, Mr Driscoll's leadership in implementing improved housing standards across the country earned him a life membership of the Australian Housing Industry Association. Mr Driscoll's contributions to the housing industry were then recognised by the federal government, and his expertise was sought to head up the Australian Housing Corporation from 1972. Mr Driscoll's innovative and distinguished contributions to the housing and construction industry led to him being recognised and awarded an Order of the British Empire in 1980 and a Commander of the Order of the British Empire in 1987. Mr Driscoll's knack for making absolutely sound business decisions placed him in very high esteem. Through his membership of the Companies and Securities Advisory Board from 1989 to 1996, Mr Driscoll helped to guide the federal government's business policies of the time. Mr Driscoll held various other board positions over his lifetime, including director of the World Expo in 1988 and deputy of the Lang Park Trust, which some people would know as the Suncorp Stadium, from 1991 to 1995. He was an original member of the Queensland Tourist and Travel Corporation, and, most commendably, a board member of the Prince Charles Hospital Foundation.

However, I would like to personally acknowledge for the record Mr Driscoll's contributions to the nation in my own portfolio space, Indigenous Affairs. In 1998, Mr Driscoll became the Chairman of the Business Enterprise Committee of the Indigenous Land Corporation. It was in this role and as one of the longest serving directors of the ILC that Mr Driscoll guided the corporation towards a profitable livestock and pastoral investment. He used to delight in being able to say, because of his personal knowledge in the pastoral industry, 'I'm taking these particular types of bulls, I'm going to send them out to the ILC properties in different places.' He was very much a hands-on director. Much of the herd and the infrastructure are there today as a consequence of his involvement—the resulting profits of which are being reinvested into local economies, providing for employment, training and educational opportunities for Indigenous people right across regional and rural Australia.
Mr Driscoll's business expertise and insightful purchase of property led to his own personal wealth creation over his lifetime. Mr Driscoll purchased a total of seven cattle stations and eight hotels across Queensland through his lifetime, resulting in many employment and economic development opportunities for the surrounding communities. However, out of all Mr Driscoll's lifetime achievements I would take a guess that his most cherished were the hearts of his wife, Thelma—the daughter of another distinguished businessman, Sir Leslie Thiess—and their four children. Our thoughts tonight go to Mr Driscoll's family following his recent passing. Mr Driscoll's intellect, capacity and drive were an asset to the nation, and he will be remembered. Vale, Kevin James Driscoll.

International Women's Day

Senator McALLISTER (New South Wales) (19:45): I rise to mark International Women's Day, which is celebrated this year, as it always is, on 8 March. It is important to start by acknowledging the origins of International Women's Day. On 8 March 1908, women working in clothing and textile factories staged a protest in New York City—15,000 women marched through New York. They asked for shorter working hours, better pay, voting rights and an end to child labour. The women, some as young as 16, faced down police. The police responded with violence. They attacked the protesters and dispersed them.

The protest may have been broken, but the spirit of the labour movement was not. The New York protest served as an inspiration for protests and strikes by female garment workers throughout America and Europe over the next few years. The first International Women's Day was celebrated in 1910 to mark the occasion of the New York protest.

The reason I raise this is not simply nostalgia. It is to make the point that International Women's Day is founded in acts, not platitudes. It celebrates the fact that vulnerable women took collective action to fight for their rights as the many Australian women who are members of trade unions to this day continue to do. International Women's Day has to mean a great deal more than a lapel button. It has to mean more than simply acknowledging the mere existence of women or acknowledging the fact of past injustices. We should use this day to consider the problems that women face today: from professional women who hit the glass ceiling because of the unconscious bias of the people around them to vulnerable women who have casualised jobs with unsafe conditions and low pay because they work in sectors that have been deemed women's work.

The theme for International Women's Day this year is 'pledge for parity'. It is a theme we would do well to consider at a time when Australian women face outcomes that are far from parity, from cradle to the grave. It starts young. Studies show that girls are expected to perform a larger share of household chores than their brothers but, despite this, manage on average to outperform their brothers through formal schooling. Once they start work there are real issues of discrimination. One in five women has been sexually harassed at work in the last five years. Women pay for this privilege by earning an average of $284.20 less than men every single week. That means they must work an extra 65 days a year if they want to catch up with the men who are their peers. Women are more likely to take unpaid breaks from work to care for children and family members, and they suffer the career setbacks that result. If they do not, they face being overlooked for promotion because of unconscious bias in management. Women are more likely to work casualised jobs, which, ironically, do not have the workplace conditions that were put in place to help people balance work and family.
responsibilities—conditions like carers leave and parental leave. So by the end of their working life, the average woman has half the superannuation balance of the average man, which is not surprising, given the gender pay gap in the gender career that is caused by breaks from the workforce. The end result of all of this is that single women over 65 are the largest single social group living in poverty.

This is the challenge that we face. On International Women's Day I urge the people in this place, and indeed all Australians, to do more than pay lip-service to ideals. I urge us all to make the pledge for parity.

Safe Schools Coalition Australia
Marriage

Senator CAROL BROWN (Tasmania) (19:49): I rise tonight to speak in the adjournment debate about the increase in homophobic and transphobic sentiment in this place and in the national debate, perhaps more disgracefully the harmful attitudes expressed that have been aimed at children. Last week we heard much in this place about the school program provided by the Safe Schools Coalition. It is a program designed to address the shocking discrimination and bullying against young people who are same-sex attracted and gender diverse. I spoke at that time on the appalling decision to review the program that makes schools safer for same-sex attracted and gender diverse young people. At that time I said it was not simply a matter of the government being out of step but a matter of the government perpetrating dangerous views that have the potential to have devastating impacts on the lives of young LGBTI Australians.

We have also heard from the service provider, Drummond Street Services, that they have seen a doubling in demand for support from anxious and distressed young people in the wake of the debate about the safe school program and the same-sex marriage plebiscite. But it seems that my messages and the message from many eminent Australians has been lost on the ultraconservative. Today we heard that the former Prime Minister, Mr Abbott, has put his support behind Senator Bernardi's campaign and called for funding of the safe schools program to be axed. In arguing to have the program's funding terminated, Mr Abbott is reported to have said:

It's not an anti-bullying program, it's a social engineering program.

While the debate on the safe schools program has been distressing, it is my fear that this is just the start of what we can expect from the campaign against marriage equality during the plebiscite. This point was echoed by Tony Jones on last night's *Q&A* program when Australian Christian Lobby head Lyle Shelton told the daughter of a same-sex couple that marriage equality would lead to another stolen generation. Mr Jones noted that it was 'a hint of what a plebiscite debate may be like.'

I am sure members in the Senate have seen the reports in today's edition of *The Canberra Times* that is headed up 'Gay marriage would lead to drug use and disease, pamphlets say'. A former Liberal MP has generated this pamphlet, claiming that same-sex parents are more prone to sexually transmitted disease, unemployment and drug abuse. It was in *The Canberra Times*. It was also, I think, broken by *The Sydney Morning Herald*, who had a copy of the pamphlet. Apparently, the pamphlet was funded by the one-time minister of the Howard
government, Chris Miles. The pamphlet is entitled 'You have a choice: National vote: Same sex mirage: Have your say', promoting a no vote ahead of the proposed marriage plebiscite.

For those who may not know, Chris Miles was a member for the seat of Braddon in my home state of Tasmania. Mr Miles's pamphlet also claims that 'married biological parents have a better record for providing safety and development of healthy, well-adjusted adult children'. Speaking to Fairfax Media, Mr Miles says he 'may print millions of copies in the lead up to the vote'. He says:

If we are going to have a plebiscite, people need to be informed …

These will be distributed throughout Australia at the grass roots.

Marriage equality proponents have condemned the pamphlet, as all well-meaning and good people would, in my view. You would condemn a pamphlet that is designed to be damaging and divisive on marriage equality. This is something that has been put together for the debate on a marriage quality plebiscite.

Rodney Croome, the National Director of Australian Marriage Equality says this is just the start, and this is what has been feared about the government's decision to continue with a plebiscite. This is exactly what was feared: that this debate would turn into a debate that vilified same-sex attracted people, and this is exactly what it is. This disgraceful pamphlet is just the tip of the iceberg of what will come. We have Rodney Croome, who said that this is the start, and we know that it is the start, of anti-gay misinformation campaigns Australians will have to endure if the government goes ahead with a plebiscite. Mr Croome has said:

Australia can avoid a damaging plebiscite campaign, and we could have marriage equality by mid year, if parliament is simply allowed to do its job and has a free vote …

He goes on to say:

Not only is the information on this flyer wrong, it will put the lives of young gay people and the children of same-sex couples at risk by reinforcing the message that they and their families are broken.

In parliament, Labor and the Greens continue to call for a free vote instead of having a very expensive plebiscite, a plebiscite that will cause damage. Mr Miles's pamphlet shows that is exactly what we are on a path to do if the government—

Senator Cash interjecting—

Senator CAROL BROWN: It is true, Senator. Mr Miles's pamphlet shows the damage that will be done to same-sex couples and their children and their families in a debate if we continue on the path to a plebiscite. It is a harmful debate. We have all talked about the potential of it, and we have now seen the potential of a debate like this to really have very negative and distressing impacts on young LGBTI people and their families.

The Greens spokesman on this issue, Senator Simms, says, 'This flyer is the latest example of this ugly campaign against equality'—and he is right—and many in the Senate and in the House of Representatives would agree with that. During the last week, we have seen a tsunami of vile homophobia fanned by people like Senator Bernardi and Mr George Christensen. That is a quote directly from Senator Simms, and I absolutely agree with what he has to say. It is clear that the ultraconservative extremists are planning an ugly hate campaign levelled at the LGBTI community, and Prime Minister Malcolm Turnbull is sitting back and letting it happen. But he does not have to. He can stop this plebiscite. It is a plebiscite that is
not needed, a plebiscite that is there just to appease the ultraconservatives is in his caucus. The parliament has the authority to make a decision on this issue. All we need to see is some leadership from Mr Turnbull where he agrees to give his caucus a free vote. Let's just get on with it.

Senator Simms also went on to say that the Greens were also concerned about the impact that this kind of hurtful campaign might have on young people in particular. I could not agree more, and I really just do not understand how the coalition can sit back and allow this sort of propaganda to come out in this way. This propaganda is designed for the plebiscite. We do not need a plebiscite. We have the power. We need to get on with it.

Workplace Relations

Senator SIMMS (South Australia) (19:59): I certainly echo Senator Brown's comments and concerns about the plebiscite. I rise tonight to talk about penalty rates and the importance they have on the livelihood of everyday Australians. I know this is a key issue in my home state of South Australia. For many, penalty rates are the difference between being able to pay the rent, put food on the table or pay bills.

It is clear that the government established the Productivity Commission for one reason and one reason only—to attack workers' rights by stealth. That is what it is about. They may have put the Work Choices legislation to one side, but their ideological crusade against working people continues. They are still looking for an excuse to dust off Work Choices by another name. The commission have already recommended slashing penalty rates on Sundays for retail and hospitality workers. This shows a blatant disregard for employees in these industries, implying that they are somehow less important than those who work in other sectors and that it is somehow okay to rip money away from those people who are trying to make ends meet. I have to say that I find it really baffling that you have people sitting here in this place earning almost $200,000 trying to rip away benefits from some of our nation's lowest paid workers. People sitting here on red leather and in ivory towers are trying to slash the benefits of those who are the lowest paid in our community.

Like many, I was hopeful that with a change of Prime Minister we might see a change in direction—a government that actually cares about workers and is willing to stand up for their interests. Of course, we know that the Liberals are never going to deliver that. It is becoming clearer and clearer that Prime Minister Malcolm Turnbull is toeing the Abbott line. Tony Abbott 2.0 is here, and it will not be long before the Liberals start moving on their plans to cut penalty rates for nurses, midwives and emergency services personnel.

What do penalty rates mean for Australian workers? I did some promotion on my Facebook account asking my constituents to let me know about the impact of penalty rates. It is good that the minister is here. Hopefully she will listen to these stories and take them into account. I want to share some of these personal stories. I will start with Courtney. Courtney lives in my home state of South Australia. She is 18 and has just started university studies in the area of nursing. She wants to make a start in her profession, but before starting her degree she has had to spend thousands of dollars on studying costs. Further adding to this pressure, of course, is the government's deregulation agenda and the cutting of the Student Start-up Scholarships. I cannot just lay the blame at the feet of the coalition. We have heard a lot about dirty deals, but who could forget the dirty deal done dirt cheap at the eleventh hour of the final parliamentary sitting last year when Labor and the Liberals worked together to scuttle
the scholarships and turn those into HECS loans? That was a dirty deal that students have had to pay the price for.

But I am not talking about the Labor Party's capitulation to the Liberals tonight. We could talk much longer than 10 minutes on that. I am talking about the issue of penalty rates. University students cannot work a standard nine-to-five job as they struggle to balance the competing priorities of work and study. With less opportunity to earn an income, every single dollar counts for university students. We know this. Courtney works at a local bakery and she says receiving penalty rates means she is able to focus more time on her studies and have just enough money to enable her to continue with learning.

Do we have a government that is willing to support Courtney as she dedicates years studying at university to become a nurse, to work in a profession that will look after people within our community when they are unwell? No. We have a government that wants to rip away penalty rates and make it almost impossible to balance study and work commitments. When Courtney shared her story with my office, she explained exactly how important penalty rates are to people like her. She said, 'Without penalty rates, studying will be something I will either have to completely remove myself from or have to put off until I have the savings ready and can begin the process of full-time study with part-time work.' Students should not have to choose between study and being able to make ends meet.

Penalty rates recognise that hundreds and thousands of people work unsociable hours—particularly young people, I have to say. That includes people such as Matthew, also a South Australian, who has worked in garden centres for a number of years. It is a labour-intensive job that requires unique skills. Some people might ask, 'Why doesn't he get another job?' That is probably the argument that would come from those opposite. But Matthew says he does not want to get another job because he loves what he is doing. He says: 'I love the enjoyment of helping people make their gardens, plan their veggie patches, bring life into their homes. It's brutal, yes, but it's so satisfying getting home sweat-soaked and dirt-encrusted, with bloody hands. You've moved hundreds of kilos of ceramics, balancing them carefully in peoples cars so they can spend the rest of their weekend getting muddy. I truly love it. That of course leads to, 'If you love it then you'll do it without penalty rates.' But I won't.'

Matthew says: 'With penalty rates taken away, the weekly wage becomes far too low to live and suddenly you are left wondering whether you can complete the basic food shopping and afford the weekly rent. Penalty rates don't account for this but they do provide an offset. You miss a lot working weekends and public holidays. You miss weddings, birthdays, BBQs, social events, theatre performances and things like the Adelaide Show. You lose a lot too. You lose friends and your sense of value. While penalty rates don't make up for it, they do mean you're getting enough to potentially travel to see people and attend social events.' He says: 'This is dangerous territory. We're already starting to belittle people based on their wage, claiming they're not real jobs if they're entry-level jobs. They're not. These jobs help form the backbone and foundation for the rest of our economy. Penalty rates are important to make sure that everyone else understands these jobs matter and that the people doing them matter and help stop a culture developing where a person's worth is based on their wage.'

I could not agree more with the statement that Matthew has made. Courtney and Matthew are just two examples. There are baristas around the country paying their way through university, mothers at supermarket checkouts having to miss their children's weekend
activities and emergency nurses missing special birthdays. All of these people rely on penalty rates. Yet here we see the government once again on a crusade against workers' rights and penalty rates. The Greens will always fight tooth and nail against these changes. We believe that employees must be adequately compensated for working odd hours and giving up their precious personal time with families and friends for work.

As I said before, it is a cruel irony that, so often, we see people who are some of the highest paid workers in this country—politicians, very high-income earners—coming into this Senate chamber and saying, 'Let's dud the benefits of some of our nation's lowest paid workers.' What an appalling position to take—our nation's highest paid workers coming into this chamber, those opposite coming into this chamber, and saying, 'Let's slash the benefits of working people.' It is a deplorable position to take. The Greens do not support that, and we will always defend the interests of working people. We will always stand up for penalty rates because we know that, for so many people in our community, penalty rates are the difference between whether or not you are able to get a meal on the table or pay your rent on time. I have to say that young people, in particular, are hardest hit—

Senator Sterle: We've spent a lifetime fighting for working people!

Senator SIMMS: I am surprised to see the Labor Party heckling me when I am giving a speech on the importance of penalty rates. I would have thought, despite all of the partisanship we have seen in this place, that this would be an issue where the Labor Party would actually be supportive of the Greens' position.

Senator Polley: You've sold out. You're going to put them in control of the Senate!

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order!

Senator SIMMS: Instead, I am being heckled when I am talking about the rights of working people. Might I say, if we want to talk about selling out low-income earners, I mentioned before the appalling deal that the Labor Party did at the eleventh hour on the last day of parliamentary sitting last year, when they slashed the student scholarships and turned them into a HECS loan. They have got more front than John Martin's when they start pushing this nonsense about people selling out. It is getting so old. I think people can see through it. The Greens do not want to play politics with the issue of penalty rates, but it seems like the Labor Party do tonight. We support the rights of working people and we will always defend them in this place.

Valedictory

Senator BULLOCK (Western Australia) (20:09): It was early in the spring of 1973 that I drew up my courage to the sticking point and rose to speak. It was not a speech that I felt would find favour in a room packed with serious, striving parents and the dignified pedagogues in whose charge I had all but completed serving a twelve-year sentence for youth. My chosen topic was ambition. I spoke against it. It had occurred to me some years earlier that the path to personal fulfilment lay through service to others and not in the pursuit of wealth or self-aggrandisement, which I suspected of being the defining motive of the majority of those in attendance. It was, therefore, with surprise verging on astonishment that I greeted the decision of the wizened panel of adjudicators to award me the Old Trinitarians Union public speaking prize. With that prize came the realisation that it was the fate of some to peak early and that the road for me henceforth lay, in all probability, downhill.
Having renounced ambition, I endeavoured, over the long years following, to ensure that self-interest played as small a role as possible in setting the course of my life. Only once have I been tempted to make a written application for employment. That application having received the most dismissive of replies from the Shell Oil Company, containing not the slightest hint of the possibility of an interview, I concluded that, having at first not succeeded, I should not trouble myself to try again.

Given my total lack of qualifications, specialist training or any readily identifiable skill, a life of poverty and unemployment would doubtless have been my lot had I not discovered that I had a knack for being elected to office. Aside from being able to participate in parish councils, preside over cricket clubs and publish a newspaper, some of the positions to which I have been elected have carried with them salaries which have afforded me more than I have needed. One of the fringe benefits of a lack of ambition is the understanding that one's true material needs are essentially modest and that the surfeit can be attributed to either undeserved good fortune or, to the extent that one is so inclined, to the grace of God.

My first electoral success, much celebrated on the day by my colleagues and me, came at the annual general meeting of the University of Sydney Students' Representative Council, on 11 November 1975, when a team of self-styled moderates swept the hard left from the field and I became director of student publications—the publisher of Honi Soit. The left regrouped early in 1976 and ousted all of the moderates from the offices which they held except for the Director of Student Publications, who went on to serve a full term.

From this, and from the experience of the ensuing 40 years, I have come to the conclusion that, if, after having been elected, you do those things which you promised to do before you were elected, you work diligently to fulfil the explicit and implicit requirements of the role to which you were elected, you consistently work to advance the interests of the people who elected you and you treat your opponents as though they were more capable than you truly believe them to be, then there is every prospect that you will be re-elected. I mention this, which I regard to be an utterly unremarkable insight, for the benefit of those of my good friends on both sides of the chamber to whom it appears not to have occurred. I will return to the issue of fulfilling the explicit and implicit requirements of the job shortly.

It was about three years after my ambition speech that I first met the now Prime Minister, Malcolm Turnbull. Generational change in student politics is quite rapid, and, in those pre-Abbott days, I was looking for someone to be the public face of the moderate team in the students representative council elections. Here it is necessary to note that there were two student organisations at Sydney university. The SRC was the Australian Union of Students affiliate, the ideological battleground and the arena of conflict in which the paid organisers of the Communist Party of Australia, along with single-issue left-wing extremists and their fellow travellers, waged battle with everyday students to determine the political agenda of the student body.

Running quietly alongside, but aloof from the fray, was the University of Sydney Union, which ran the catering and hosted debates and dinners. Steeped in history and tradition, achieving prominence in the union was a perfect means by which to hobnob with professors and stake out a social status. Offered the prospect of engaging in the contest of ideas and the chance to rally regular students against the political agenda of the extreme left, young Malcolm Turnbull did not hesitate. He chose the reputation, exclusivity and opportunity
offered by the university union. As a very young man he was committed to burnishing his CV rather than fighting for principle. He presented as the very personification of ambition. I took a deep and instant dislike to him. Nothing has occurred during the intervening years to persuade me to change my view. As I see it, Mr Turnbull's life has constituted a single-minded pursuit of wealth and personal advancement, even to Australia's highest office. Here is a man who, 40 years ago, publically announced his intention to be Prime Minister, and when asked, 'For which party?' he replied, 'It doesn't matter.'

The early indications are that Mr Turnbull saw the fulfilment of his ambition through the Labor Party. This is evidenced by his support for Lionel Murphy and for, in his words, 'the much-loved elder statesman', Gough Whitlam and in his 'warm personal friendship' with Peter Dowding. Politically, he will be remembered for his support for changing the Australian flag, for the establishment of an Australian republic, for changing the definition of marriage and for an emissions trading scheme. These are all positions that sit comfortably with the political Left.

As a man driven by ambition rather than principle, it is no great shock that Mr Turnbull has no principled objection to leading a government committed to advancing the interests of business and the wealthy at the expense of the average Australian worker and their family. This can be seen in the freezing of superannuation contributions—denying workers financial security in retirement while padding the bottom line of business. I am yet to hear, in any set of wage negotiations anywhere in the country, any employers say that, as a result of not paying increased superannuation contributions, they are prepared to top up their wages offer. This myth that less superannuation translates to more money in workers' pockets could only be believed by people so out of touch as those opposite. Those opposite who do not believe it but nonetheless peddle the myth are guilty of a cruel and wilful deception.

The attack on workers is also seen in the attack on penalty rates—a naked move to transfer money from those who work at socially undesirable times to the bottom line of business. Even more deplorable is the singling out of workers in the retail and hospitality sectors. These are workers already struggling on low wages and for whom every dollar counts. The attempt to split the electorate by making these workers' financial lives expendable is beneath contempt. The only organisations to whom these low-income workers can turn to defend their interests are their unions. It is by no accident that those organisations are clearly in the sights of the government.

And what of the GST? There can be no doubt increasing the rate of the GST by 50 per cent and removing the exemptions for food, health and education were central to the plans of this government. Who would pay and who would benefit? The GST is a regressive tax, disproportionately burdening the poor. Raising the rate of the GST raises the burden. Removing the exemptions compounds the unfairness to lower paid workers, which even Prime Minister Howard recognised as being inherent in a regressive tax. And who benefits? The beneficiaries were to be business and the wealthy through tax cuts.

Make no mistake: the only reason Australia is not now facing an increased GST is the absolute determination of Bill Shorten and Labor to resist this grossly unfair impost on working people. And do not believe that Mr Turnbull has seen the light on principle. He is not capable of being moved by such a foreign concept. Rather, he feared the political backlash
from the working people of Australia would throw him out of office. Self-preservation, not principle, determined this retreat.

So where does the Liberal Party now stand on economic reform? Mr Turnbull led the coup against the elected Prime Minister because the government had no salesmen for its economic plan. Well, the government has new salesmen in Mr Turnbull and Mr Morrison, but the awful truth has been revealed. It was not that the government had no salesmen; it had no plan.

While Bill Shorten and Chris Bowen have been, step by step, outlining Labor's plan to restore Australia's prosperity, the government has revealed itself as devoid of economic policy. Mr Morrison has proven already that he is no Paul Keating. Mr Morrison is no Wayne Swan. Wayne Swan confronted the world's greatest recession in 80 years with prompt, bold and decisive action. To steal Paul Keating's phrase, the government's economic policy is a shiver looking for a spine to run up. All of this, without mentioning the $100,000 university degrees, the hikes in health costs, the cuts to the family tax benefit and the age pension. This government has declared war on the average Australian.

Against this background, we enter 2016, an election year. This is the year when we have the opportunity to create history, to turf out this anti-worker government and bring to a shuddering halt the driving ambition of Malcolm Turnbull. While to have dedicated myself to this end would have been utterly predictable, life has posed me a question, the answer to which has necessitated an alternative course of action.

My difficulties began with the 2015 national conference of the Labor Party and the much-anticipated homosexual marriage debate, which was its last order of business. I had expected one of two outcomes to this debate; either the issue, were it to come before the parliament, would continue to be the subject of a conscience vote or, alternatively, the conference would decide to change its position and deny Labor members a conscience vote. I was prepared to deal with either outcome. On the one hand, if a conscience vote were allowed, I would vote with my conscience against homosexual marriage; on the other hand, if a conscience vote were denied to me, I would vote with my conscience against homosexual marriage and reluctantly accept the inevitable consequence of such defiance being expulsion from the party. This I could justify to myself on the basis that the party to which I had been elected afforded members a conscience vote on the issue—that it would be the party and not me which had changed the ground rules and that it could not reasonably expect me to abandon my conscience on that meagre basis.

To my surprise, the conference adopted a third position, which had previously not been foreshadowed. Labor members would retain the right to a conscience vote, but only until the election after next. This posed a new and unexpected problem. Labor members of parliament would be required to campaign, in 2016, for a party which proposed to deny its members a conscience vote on the homosexual marriage question. To the best of my knowledge, on the voices, I was the only vote against this proposition. I walked away from the conference shocked, alone and in deep despond.

How could I reconcile my position on this issue with my obligation to the party? This question crystallised further a couple of weeks later when I presented a paper on tax reform to the Endeavour Forum in Melbourne. Shortly before this meeting the organisers asked if I would also say a few words on homosexual marriage, given that the issue had attained some prominence at the time. I complied and in addition to a wide-ranging and detailed exposition
of some personal views on tax reform I set out, somewhat incongruously, my position on homosexual marriage.

After the speech there were questions and answers. Depending on the nature of the audience, I enjoy questions and answers. They allow me to abandon the script and provide frank and fulsome answers which, when I am in flood, both inform and entertain. They also occasionally get me into trouble. I had dealt with two or three questions on tax and felt that I was getting into stride, when an innocuous-looking elderly gentleman in the front row, about three people to my left, raised his hand. Feeling confident, I gave him the call. He asked a perfectly simple question, which I remember word for word. He asked, 'Given your views on same-sex marriage, how can you support the Labor Party?' I stood there flummoxed. I said a few nice things about the Labor Party and generally avoided the question. I do not imagine that my answer satisfied anyone in the room; more particularly, it didn't satisfy me.

This question has dogged me for six months. How can I, in good conscience, recommend to people that they vote for a party which has determined to deny its parliamentarians a conscience vote on the homosexual marriage question? It is a question which I regard as having a fundamental significance to the future shape of our society. The simple answer is that I can't.

This answer has consequences for me as a member of the parliamentary Labor Party, which are distinct from its consequences as a member of the party itself. As a member of the party, I am free to disagree with party policy, to lobby for change and to encourage people to join the party with a view to achieving that end. As a party member, that is something to which I am committed. As a member of the parliamentary Labor Party I have different obligations. It is a part of the job description of every Labor senator to work as hard and as effectively as they can to persuade every voter possible to direct their vote to Labor so as to maximise the prospect of a Labor victory. As a Labor senator, it is my job to tell voters that it does not matter that Labor will outlaw the conscience vote on homosexual marriage and to recommend a vote for Labor without reservation.

That is the job description of a Labor senator. It is a job which I cannot do. This is a new experience for me. For 37 years with the SDA it never occurred to me that my job might require me to do something which I regarded as wrong. Nevertheless, instinctively I know that if your job requires you to do something which you believe to be wrong, there is only one course of action open—resign. The prospect of my resignation has attracted considerable attention since even before my swearing in. The secretary of United Voice held a press conference to call for my resignation, a call echoed by much of the Left. At least half a dozen journalists rang me back then to inquire whether I might consider a future on the cross benches, a question which journalists have continued to ask periodically ever since.

Not a week goes by when my good friends in the National Party don't ask when I might be joining them. There are, of course, worthwhile contributions to be made from the cross benches, as Senator Madigan's successful motion calling for a root-and-branch review of the Family Court last month amply demonstrated. There are two circumstances in which I could consider remaining as a crossbench senator. Firstly, such a course could be justified if Labor improperly expelled me. Secondly, it could be justified if my personal vote was high enough to have secured my election without party endorsement. Neither of these circumstances pertain to my current situation—happily, there is no question of my expulsion and, although I
received a very high below-the-line vote in the 2013 election, it was not nearly enough to have secured election in my own right.

I note in passing that, as I recall, my below-the-line vote in 2013 was higher than all but one of the 61 other candidates and higher than that of any of the Liberal or National Party candidates. I made no attempt to secure below-the-line votes. And the people who voted below the line for me were not Labor supporters; Labor supporters could have voted for me by simply voting above the line. In this connection, I remind the Labor Party that the key to winning elections is securing the vote of people who do not routinely vote Labor and it follows that preselecting a few more candidates who might actually change people's vote might not be a bad idea.

So, putting that to one side, if I am to resign, it cannot be to continue as a senator. I was elected to the Senate and elected as an ALP senator only because I was on the ALP ticket. The ALP needs all of its senators to work without reservation for the election of a Labor government. I can't do that and I am morally obliged to resign from the Senate and allow my party to fill my position with someone who can give the commitment that I cannot.

Accordingly, it is my intention to write to the President to tender my resignation. I understand that such letters take effect immediately upon receipt and in consequence I will defer writing for a short time. I will continue until the end of this session on 17 March, so as not to deny Labor a vote and thereafter for a few weeks to finalise my correspondence, clean out my offices here and in Perth and, most importantly, to do my best to ensure the successful transition of my loyal and dedicated staff, who until this week were unaware of my decision, to their next roles within the party or elsewhere. I hope to have the opportunity to say a few more words about them and others if I am afforded the opportunity of a further speech. I realise that my decision to resign from the Senate over this issue, a decision so patently contrary to self-interest, might strike some as odd but it is utterly consistent with the views of the schoolboy who stood before a room full of parents and teachers to forcefully put the case against ambition and, for me, consistency is a virtue.

Bullock, Senator Joe

Senator MADIGAN (Victoria) (20:28): It is my pleasure tonight to speak of the qualities of integrity and authenticity. It was with sadness that I listened to Senator Bullock tonight announce his resignation, because if there is something that this place lacks it is people of conviction and courage. If there is something that this place lacks it is people of conscience and consistency. Certainly Senator Bullock is part of this rare breed.

Senator Bullock is someone who speaks his mind. In an age of political doublespeak and parliamentary deception, Joe Bullock is a man apart. As a former state secretary of the Shop, Distributive and Allied Employees Association, he proved himself a tenacious fighter for the working man. In the political arena, he has proved himself uncompromising and not for sale. When I think of Senator Bullock I am reminded of the words of Kipling:

If you can talk with crowds and keep your virtue,
Or walk with Kings—nor lose the common touch,
If neither foes nor loving friends can hurt you,
If all men count with you, but none too much;
If you can fill the unforgiving minute
With sixty seconds’ worth of distance run,
Yours is the Earth and everything that’s in it,
And—which is more—you’ll be a Man, my son.

Senator Bullock, you will be sorely missed and the Australian parliament and the Australian people will be a lot worse off for your resignation.

Mardi Gras

Senator MOORE (Queensland) (20:30): On a cold Saturday night in Sydney on 24 June 1978 a number of gay men, lesbians, transgender people and other people who just wanted to be involved marched into the pages of Australian social history. These people became known as the 78ers. This group of people on Sydney streets took part in what was going to be the first Mardi Gras celebration. This was a day to look at some of the issues that had occurred in America at the time, nine years after the first demonstration of gay rights in San Francisco. Most importantly, that day was to show solidarity with gay people in America who were fighting against one of those famous propositions that come up in American constitutional history, this proposition involving discrimination against gay people in schools. It is amazing how history reminds us of struggles in the past.

On that day in 1978 there was a spirit of celebration—it was actually a day of joy. People gathered together, there was music, there was celebration, there were people who were being involved in various musical activities. At night, after the day of marching and some political meetings, a few hundred brave souls met at Taylor Square in Sydney, many in colourful costumes, which is a tradition that continues around Mardi Gras. Their numbers swelled as people got together and they marched down the street. This was at a time when they already had a permit from the local authorities to have such an activity, so they marched down the street chanting and singing and making themselves known. Some of the contributors of the 78ers have talked about their memories of the activity and how it felt that they were making a statement and a clear acknowledgement about the fact that they were gay and proud and they had the right to be out not only in their community in Sydney but across Australia, also showing solidarity with comrades overseas.

This was a period when there was an outpouring of openness about gay rights, and this goes down in the realms of history—people had been taking on struggles about freedom from discrimination, people had been taking legal cases, and there was a statement that no longer should people be hidden, no longer should they feel discriminated against, but they had the right to speak out and be proud. From reading some of the memories of the 78ers that have turned out to talk about their experiences, that is what was happening on that night in 1978. A close friend of mine, Peter Murphy, a 78er, described the atmosphere that night. He talked about the fact that he could sense, as they moved down through the Hyde Park area, that the mood was changing. Already there had been some interaction with the police force, despite the fact, as I said, that they did have a permit for this march and this activity. Peter could see and feel that there was a change in the atmosphere. He said to other people that something was going on—they could sense there was a change. He could see 'a very large number of police vehicles heading into Kings Cross from Darlington' and we began to suspect that we were walking into a trap.
Peter broke away from the marchers to call a lawyer, because that is the kind of guy Peter is—he could sense something was up and he went to call a lawyer to say that they may need some help. Then he rejoined a very happy scene as the Kings Cross crowd cheered—there were people along the sides of the streets, a smaller crowd than we have now, but still people who were out for a good time at night could see that something was happening, a march of people with banners in, as I said, a very happy mood. There were people watching, people wanting to be involved to see what was happening. Peter said it was a very happy scene as the Kings Cross crowd cheered, and welcomed their throng as they walked up Darlinghurst Road to the El Alamein fountain. Those people who know Sydney will have a sense of what I am describing. Though I was not a 78er, I have walked the route to imagine the kind of atmosphere of that night. They got as far as the El Alamein fountain and at that time they could see that there were large numbers of police gathering on every side. At the fountain they stopped and, using a single microphone, they talked about what was going on and how to make the best of what was building up. There were several hundred at this time, and the group agreed to turn around, link arms, stay silent and walk out of Kings Cross to disperse.

Suddenly a siren went off and very bright lights from a police vehicle hit the front of the crowd and there began what turned out to be an extraordinarily ugly scene. Police moved in, struggles took place, people were bashed—all this is on record, and indeed there are some black-and-white photographs that show what happened—people were separated and a number of people resisted. I think there was in some sense a view that there may not have been resistance, that this was going to be an easy crowd and the police would be able to break them up easily and move them away. But people began to resist and that is when the violence built up and people were put into paddy wagons and taken to police cells.

A number of people have made statements about how there were severe bashings—people were separated and there were severe bashings in the police cells. People who were severely harmed by that experience were taken away and charged, and several had to get medical help after the incident.

This was an extraordinarily ugly scene, and worse was to come. The next day, spread across The Sydney Morning Herald, the Fairfax newspaper, were full photographs of the event including names and descriptions of people who were involved. Remember that we are talking about 1978, a time when there were very few privacy laws and when being known as someone who was gay could have very serious outcomes for your employment and people knowing about your reputation. We know that, in some cases, people’s names were put into the newspapers whose families had not known that they were gay. As a result of the newspaper coverage, there have been documented some serious implications for many people, including lost employment, broken careers and broken family relationships. A number of the people who were there talk about the fact that some of their mates were named with the intent, indeed, of being shamed. That is something I deplore totally, but nonetheless, in the atmosphere of 1978, this is what occurred. We believe that mental health and suicide issues could be directly traced to the experiences that people had that night.

As I said, the 78ers have gone on to be part of our social history. What has happened now is way too late. There have been a series of apologies—and deserved apologies. Remember, it has been since 1978 until 2016, and a series of apologies have now taken place. The first was from the Sydney City Council, where an apology was put on record in 2015. The motion was
moved by Christine Forster, the well-known sister of the previous Prime Minister, Mr Tony Abbott. She moved for an apology to the 1978ers, whose work and commitment and suffering—and I use that word directly—we believe has led to a series of changes in legislation and in confidence of people, not just in Sydney but across Australia and, I think, internationally, where the 78ers are known. The history of the 78ers is known and people have understood that they had rights and should not be discriminated against. So we led with an apology from the Sydney City Council.

Subsequently, only in recent times, the New South Wales parliament has passed a very impressive motion, which was moved by Mr Bruce Notley-Smith, the Liberal member for Coogee, and accepted unanimously, we believe, by the New South Wales parliament. It notes the first Sydney Gay and Lesbian Mardi Gras and also the work of the 78ers. It commends the tireless advocacy of the 78ers and their supporters and the upsurge of activism following the first mardi gras, which led to the 1979 repeal of the Summary Offences Act and decriminalisation of homosexuality in 1984 and contributed, I believe very strongly, to the effective community response to the HIV epidemic. The motion commends the work done by the 78ers in their advocacy around ensuring discrimination of this kind is not repeated and raising awareness of the events of 1978.

When this motion was brought to the floor of the Sydney parliament, there were many powerful speeches made by people across the political spectrum, and really I hope people take the opportunity to check out what members of parliament said about the 78ers on that moment of a very important apology. However, I want to quote another Queenslander—Peter Murphy, my mate, is a Queenslander, and this is another Queenslander—Mark Gillespie, also a 1978er, who said:

... as an original 78er I welcome an apology by the NSW Parliament. But it needs to be a "living apology". A living apology is one where Parliament affirms the need for ongoing vigilance so that the human rights of LGBTIQ people are respected and protected in law.

It also has to affirm the need for ongoing social investment in educational programs that create a more inclusive NSW community where differences are respected and where the power of diversity is celebrated.

In terms of the apology, that was given, I believe, in a very true spirit by the New South Wales house. Many of the speeches that were made that day reaffirm exactly what Mark wanted—a commitment not just to acknowledge what happened in 1978 but to move forward to ensure there does not need to be any more 1978ers activity. People do not need to be discriminated against or have their rights violated or be personally violated through violence. That does not need to happen anymore in our community in New South Wales or in our communities anywhere in our country. That is what a living apology means. It means we acknowledge past, we move to the future and we ensure that lessons can be learned.

The third apology that has been received was from Fairfax Media and The Sydney Morning Herald, who printed that they apologised for what had passed. The Editor-in-Chief of The Sydney Morning Herald, Mr Darren Goodsir, said:

In 1978, The Sydney Morning Herald reported the names, addresses and professions of people arrested during public protests to advance gay rights. The paper at the time was following the custom and practice of the day.
We acknowledge and apologise for the hurt and suffering that reporting caused. It would never happen today.

I hope it would never happen today. However, another 1978er, a journalist, Chips Mackinolty, has indicated that, whilst he accepts that The Sydney Morning Herald apology has been done in good faith, he questions the statement that it was 'custom and practice of the day'. Chips himself was an activist of many causes from the 1970s through, I think, to this very day. He claims:

It was simply never the case that the SMH published, as a matter of 'standard procedure', the names of the hundreds of people a week arrested in Sydney …

That just did not happen. There were many arrests; Chips himself was arrested at a number of political rallies. He says that it was special treatment for the 1978ers who were caught in such a strong public protest over gay rights, and he feels that the apology from The Sydney Morning Herald is not in fact a true representation of what happened. He believes that there needs to be acknowledgement that the fact that these people were involved in a battle for gay rights was the very reason that their privacy was ignored and their names were published. He says it is good to have the acknowledgement of and the apology for the hurt and suffering that was caused, but we should not pretend that the publishing of the names of people arrested in the media was a standard practice; in fact, it was not. So we will continue to have this discussion about what is appropriate and what actually cuts across the rights of people who identify as being lesbian, gay, transgender or intersex.

One huge apology continues to be lacking—and this has come out in the discussions around the apology from the Parliament in Sydney and that from The Sydney Morning Herald—in that one of the factors of that night in June 1978 was clear police violence against the people present who were demonstrating. The apology that has not been received is from the New South Wales police. It is still one of the unanswered questions: what led to that? It certainly was not led by the government; that has been clear ever since. The New South Wales Parliament of the day had no particular agenda against gay rights.

This was an expression of power, an expression of fear and an expression of sheer violence by police, against a peaceful group—a peaceful group who had gathered to protest for rights, who were singing and chanting. In fact, after the group were taken and imprisoned, a number of people then went to the watch house and protested outside the watch house. Was this a violent group? Did they storm the watch house—because, by this time, there were very great numbers of them because they had seen people being taken away? No. This was a crowd who were concerned, upset and angry. Possibly because they were of the day, they gathered and they sang We shall overcome, which is not an expression of violence; it is an expression of peaceful solidarity. And I know, from talking with Peter and from what he has told me about other 78ers, that the people in that watch house—people who had, in some cases, been beaten—could hear the singing going on in the streets of Sydney. It was an expression of solidarity and not violence.

The 78ers and those of us who care about what they did and what they stand for continue to ask for a further apology. We want an apology to the 78ers from the New South Wales police.

As I said, that group of people from 1978 has become part of our social history. This weekend, the 38th Sydney Gay and Lesbian Mardi Gras will take place. Its theme this year is 'momentum':

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Leading the march this year will be the 78ers who are still with us. Too many are not with us any longer; as I said, their lives were deeply impacted by what happened that night. But the remaining 78ers will be there. They will be involved in the rainbow flag handover. Rather than several hundred people, this year it is anticipated there will be 12,000 participants and 170 floats on the streets of Sydney—the same streets where those people gathered in 1978. Unlike 1978, there will be people cheering from the side. Unlike 1978, there will be police marching in the Mardi Gras, as they have done for many years. We will remember the 78ers and we will share their joy. Indeed, we will say: stand up and be counted, turn your passion into purpose and become unstoppable.

**Shipping: MV Portland**

**Senator LINES** (Western Australia) (20:49): I begin tonight by acknowledging the sacked Australian crew of MV Portland, Australian seafarers working on Australian waters between Victoria and Western Australia, a crew with an unblemished record and a crew who knew how to settle issues with their employer—a ship with a 27-year record of no industrial action. But none of that mattered when Alcoa wanted to make a quick buck. Alcoa decided that the crew had to be sacrificed—and, when Alcoa management met with me, I was told these workers had to be sacrificed—to save the Portland smelter. In that meeting, I told Alcoa I just did not believe them. The MV Portland Australian crew were hauled off that ship by security guards in early January, in the dead of night, and replaced by an Indian crew on $2 per hour. The ship sailed to Singapore, where it has since been sold.

It is on the public record that the Australian government knew beforehand that all this was going to happen, yet it chose to do absolutely nothing. The government did not intervene to save Australian jobs. It simply accepted the Alcoa line that these workers were sacrificed to save the smelter. The government stood up for a multinational company over the jobs of Australians—men and women, mums and dads, taxpayers, homeowners, voters.

So who is Alcoa and what benefits does it bring to Australia? What is its contribution to the Australian tax system, and what does it attract in subsidies from the Australian government? Let us look at the Portland smelter, the smelter that Australian seafaring jobs needed to be sacrificed for to increase its viability, if you believe Alcoa and the Turnbull government. Alcoa of Australia Ltd, CITIC and Marubeni all have a stake directly or indirectly in the Portland smelter, and of course Alcoa has a number of subsidiary companies which form part of Alcoa Australia. Three of those four entities with ownership interests in the Portland smelter paid zero corporate tax in Australia in the latest year for which information is available. Seafarer jobs were sacrificed for companies with a stake in Alcoa that paid zero in tax.

Alumina Limited, one of the top 100 companies on the Australian Securities Exchange, with a market capitalisation of $3.3 billion, owns 40 per cent of Alcoa of Australia Limited. The remaining 60 per cent is owned by Alcoa, a huge, publicly listed US company with a market capitalisation of over US$9.6 billion. Alcoa of Australia Limited is the management of the Portland smelter and has a 55 per cent interest in the unincorporated joint venture. The other joint venture partners, each with a 22.5 per cent interest, are subsidiaries of CITIC Resources Holdings Limited and Marubeni.
CITIC Limited, the parent company of CITIC Resources, is the largest conglomerate in China. It is worth $1 trillion and is controlled by the Chinese government. CITIC is ranked as the 160th largest company in the world. CITIC Resources and other CITIC companies have other significant operations in Australia and, with a 16 per cent interest, it is the largest shareholder in Alumina Limited.

Marubeni is a large, diversified Japanese conglomerate that also has other significant business interests in Australia. In 2015, Marubeni was ranked by Forbes as the 387th largest public company in the world, with market capitalisation of US$10.1 billion and sales of US$74.1 billion. Alumina has other significant interests in Australia and around the world. In partnership with Alcoa, it is the world’s largest bauxite mining and aluminium refining company.

According to a report by the Tax Justice Network Australia, Who pays for our common wealth? Tax practices of the ASX 200, over the last decade Alumina has paid a global average effective tax rate of zero per cent. Alumina, with average annual tax of only $420,000 paid on average annual pre-tax profits of nearly $200 million, was ranked as the company with the 8th lowest average annual effective tax rate. Additionally, in December 2014, the Australian tax office, for the first time, released information on total income, taxable income and tax payable for a large number of large public and foreign owned companies for the 2013-14 tax year. This data showed that Alumina Limited had taxable income of over $122 million but paid zero corporate income tax in Australia. These are the companies that the Turnbull government went into bat for these companies over the jobs of a handful of Australian seafarers. Is it any wonder that I questioned Alcoa when they told me that those seafarers were needed to ensure the viability of the Portland smelter? It was rubbish when they told me then, and it is clearly rubbish now. The Turnbull government should have been much more diligent before it went in to support Alcoa.

The ATO data also showed that CITIC Resources Australia Pty Ltd, the primary CITIC subsidiary in Australia, had a total income of over $5 billion but paid zero tax in Australia. Marubeni Australia Limited, the primary Marubeni subsidiary in Australia, had a total income of over $82.3 billion and a taxable income of $48 million, but, again, paid zero income tax in Australia. Alcoa of Australia Limited paid tax of $164 million on total income of $3.7 billion.

But it does not stop there. I want to look for a moment at corruption and reputational risk issues for Alcoa and its partners. In 2014, Alcoa World Alumina, a majority owned and controlled global alumina sales company of Alcoa Incorporated, paid US$223 million in criminal fines to the US Department of Justice and US$175 million, which included US$14 million as part of a criminal case, to the US Securities and Exchange Commission to settle criminal and civil violations of the US Foreign Corrupt Practices Act. That came to a total of US$384 million in fines. Alcoa should be concerned that the alleged bribes paid to foreign government officials by the former captain of the Strategic Alliance, a ship hired by Alcoa to transport bauxite to the Portland smelter, could possibly ensnare it in another prosecution for criminal and civil violations of the US Foreign Corrupt Practices Act.

In August 2015, Chinese police questioned eight CITIC Securities executives for illegal securities trading, of which four were criminally punished. This was, according to The Financial Times, reported by the official Chinese news agency. CITIC Securities is a member...
of the CITIC Group. In November 2015, the chairman of CITIC Securities was allegedly forced out of his position due to insider trading scandals.

In 2012, Marubeni Corporation agreed to pay a US$54.6 million criminal penalty to resolve charges related to the US Foreign Corrupt Practices Act for its participation in a decade-long scheme to bribe Nigerian government officials to obtain engineering, procurement and construction contracts.

The US Department of Justice filed a deferred prosecution agreement and criminal information against Marubeni in the U.S. District Court for the Southern District of Texas. The two-count information charged Marubeni with one count of conspiracy and one count of aiding and abetting violations of the Foreign Corporations Practices Act.

In 2014, Marubeni Corporation entered a plea of guilty to an eight-count criminal information in the US District Court for the District of Connecticut, including one count of conspiracy to violate the anti-bribery provisions of the FCPA and seven counts of violating the FCPA. Marubeni admitted its criminal conduct and agreed to pay a criminal fine of US$88 million, subject to the District Court's approval. Marubeni engaged in a seven-year scheme to pay—and conceal—bribes to a high-ranking member of parliament and other foreign officials in Indonesia.

These are the companies who, with Alcoa, make up the Portland smelter, and these are the companies the Turnbull government chose to protect the interests of over a handful of Australian seafarers simply earning their living working ships on Australian waters. It is time for the Turnbull government to acknowledge the loss of these Australian jobs. The government needs to immediately respect the provisions of the Shipping Act and ensure Australian intra-coastal trade is crewed by Australians paid decent wages. It is time for the transport minister to cease issuing licences to circumvent these laws. It is time for the Turnbull government to ensure Australia labour conditions are enforced within Australian borders. It is time for the Turnbull government to stick up for Australian jobs over the interests of multinational corporations who are well and truly not paying their fair share of tax—indeed, they are paying zero tax in Australia.

Senator CANAVAN (Queensland—Minister for Northern Australia) (21:02): I want to use this opportunity to briefly make some comments on Senator Bullock announcing his resignation. I was shocked to hear that tonight and, frankly, a little disappointed and saddened. Like you, Mr Acting Deputy President Ketter, I was in the class of 2013 with Senator Bullock. I am sad to see him go, because I had become great mates with him. I know him as a fine man. I did not need him to so selflessly sacrifice his job for his principles to prove to me that he is a fine man; I know that he is a fine man. Through his selfless actions tonight, I think he would have proven to millions of other Australians, who do not know him, what a fine man he is. For me, there is no greater accolade I could give Senator Bullock than to say I wish I could be more like him. I think most of us from time to time do not live up to our values; we put ourselves above our ideals, above our friends and, at times, even above our family. Through his selfless actions tonight, Joe has shown that he has not been enticed away. He himself alluded to the temptation that he would have felt to stay in this place and join another party, the National Party. It must have been a great temptation to resist. But he did resist that temptation and, by doing so, he has shown himself to be loyal to his party, loyal to
the voters of Western Australia and, most importantly, loyal to his own ideals and values. Senator Bullock may have only graced this chamber for a short period of time but, through his actions tonight, I think he will be long remembered.

Senate adjourned at 21:04

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

A New Tax System (Goods and Services Tax) Act 1999—

- Goods and Services Tax: Frequency of Fund-raising Events Determination (No. 31) 2016 [F2016L00192].
- Goods and Services Tax: Particular Attribution Rules Determination (No. 28) 2016 for Prepayments of Telephone Services [F2016L00178].
- Goods and Services Tax: Particular Attribution Rules Determination (No. 29) 2016 for Electricity Distribution Services [F2016L00179].
- Goods and Services Tax: Recipient Created Tax Invoice Determination (No. 09) 2016 on Loyalty Program Participation [F2016L00196].
- Goods and Services Tax: Recipient Created Tax Invoice Determination (No. 14) 2016 for Selling Agent Services [F2016L00195].
- Goods and Services Tax: Recipient Created Tax Invoice Determination (No. 21) 2016 for Vehicle Dealers [F2016L00168].
- Goods and Services Tax: Recipient Created Tax Invoice Determination (No. 22) 2016 for Product Suppliers to Service Station Franchisees [F2016L00171].
- Goods and Services Tax: Recipient Created Tax Invoice Determination (No. 26) 2016 for Electronic Pharmacy and Medical Centre Data [F2016L00188].
- Goods and Services Tax: Simplified Method to Apportion Input Tax Credits Determination (No. 32) 2016 for Caravan Park Operators [F2016L00193].


Broadcasting Services Act 1992—Broadcasting Services (Television Captioning) Standard Variation 2016 (No. 1) [F2016L00182].


Civil Aviation Act 1988—Civil Aviation Regulations 1988—

Authorization of persons to carry out maintenance on certain amateur-built, kit-built and light sport aircraft with a special certificate of airworthiness—Appointment of authorised persons to issue maintenance releases for certain amateur-built, kit-built and light sport aircraft with a special certificate of airworthiness—CASA 15/16 [F2016L00169].

Instructions — RNP as primary means of navigation for NDB, VOR or DME overlay approaches (Skytraders A319 aircraft)—CASA 21/16 [F2016L00173].

Civil Aviation Safety Regulations 1998—

Feathering Propellers – Functional Check—AD/PROP/2 Amdt 4 [F2016L00157].

Life Jackets and Inflatable Flotation Devices—AD/EMY/2 Amdt 7 [F2016L00160].

Life Rafts—AD/EMY/4 Amdt 7 [F2016L00158].


Repeal of Airworthiness Directive—CASA ADCX 002/16 [F2016L00155].

Cocos (Keeling) Islands Act 1955—Utilities and Services Ordinance 1996—Cocos (Keeling) Islands Airport Facilities Determination (No. 1) 2016 [F2016L00189].


Export Charges (Imposition—Customs) Act 2015—Export Charges (Imposition Customs) Amendment (Tariff Rate Quotas) Regulation 2016 [F2016L00167].


Financial Framework (Supplementary Powers) Act 1997—

Financial Framework (Supplementary Powers) Amendment (Education and Training Measures No. 1) Regulation 2016 [F2016L00163].
Financial Framework (Supplementary Powers) Amendment (Employment Measures No. 1) Regulation 2016 [F2016L00164].

Financial Framework (Supplementary Powers) Amendment (Health Measures No. 1) Regulation 2016 [F2016L00165].

Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 1) Regulation 2016 [F2016L00166].

*Fisheries Management Act 1991*—Fisheries Management (International Agreements) Amendment (Other 2014 Measures) Regulation 2016 [F2016L00186].


*Lands Acquisition Act 1989*—Statement describing property acquired by agreement for specified purposes.


*National Health Act 1953*—

National Health (Listed drugs on F1 or F2) Amendment Determination 2016 (No. 2)—PB 16 of 2016 [F2016L00185].

National Health (Remote Aboriginal Health Services Program) Special Arrangements Amendment Instrument 2016 (No. 1)—PB 17 of 2016 [F2016L00183].

*Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*—Grant of exemptions under section 40—

Federal Express (Australia) Pty Limited—No. S40E30447949.

Jam Recordings Pty Limited—No. S40E58535830.

Qantas Airways Limited—No. S40E38981987.

Tiger Airways Australia Pty Limited—No. S40E89117388.

Virgin Australia International Airlines Pty Ltd—No. S40E33778825.

Virgin Australia Regional Airlines Pty Ltd—No. S40E23966071.


**Tabling**

The following documents were tabled by the Clerk pursuant to order:

Entity contracts for 2015—Letters of advice pursuant to the order of the Senate of 20 June 2001, as amended—

Employment portfolio.

Finance portfolio.

Foreign Affairs and Trade portfolio.
Treasury portfolio.
Indexed lists of departmental and agency files for the period 1 July to 31 December 2015—
Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—
Fair Work Ombudsman.
Infrastructure and Regional Development portfolio.