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SITTING DAYS—2014

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

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—THIRD PERIOD

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

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

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Opposition in the Senate—Senator the Hon Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy
Leader of the Australian Greens—Senator Christine Anne Milne
Leader of the Palmer United Party in the Senate—Senator Glenn Patrick Lazarus
Deputy Leader of the Palmer United Party in the Senate—Senator Jacqui Lambie
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston
The Nationals Whip—Senator Barry James O'Sullivan
Chief Opposition Whip—Senator Anne McEwen
Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert
Palmer United Party Whip—Senator Zhenya Wang
Deputy Palmer United Party Whip—Senator Jacqui Lambie

Printed by authority of the Senate
### Members of the Senate

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<tr>
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<th>State or Territory</th>
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<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
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<tr>
<td>Bilyk, Catryna Louise</td>
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<td>Birmingham, Hon. Simon John</td>
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<td>Brandis, Hon. George Henry, QC</td>
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<td>Brown, Carol Louise</td>
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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives.

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

**PARTY ABBREVIATIONS**

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

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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon Tony Abbott MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
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</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
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<tr>
<td>Minister Assisting the Prime Minister for Women</td>
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</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
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<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong> (Deputy Prime Minister)</td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon Jamie Briggs MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon Andrew Robb AO MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>Senator the Hon Brett Mason</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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</tr>
<tr>
<td>Assistant Minister for Employment</td>
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<tr>
<td>(Deputy Leader of the House)</td>
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<tr>
<td><strong>Attorney-General</strong></td>
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<tr>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
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<td>The Hon Joe Hockey MP</td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Bruce Billson MP</td>
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<tr>
<td>Acting Assistant Treasurer</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>The Hon Steven Ciobo MP</td>
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<tr>
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<tr>
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<td>The Hon Barnaby Joyce MP</td>
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<tr>
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<tr>
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<td>The Hon Christopher Pyne MP</td>
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<tr>
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<td>The Hon Sussan Ley MP</td>
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<td>Assistant Minister for Social Services</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Minister for Veterans’ Affairs</td>
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<tr>
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<td>Senator the Hon Michael Ronaldson</td>
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<td>Minister for Finance</td>
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<tr>
<td>Special Minister of State</td>
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The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 12:30, read prayers and made an acknowledgement of country.

BUSINESS
Consideration of Legislation

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:31): by leave—I move:

That consideration of government business orders of the day No. 1 Climate Change Authority (Abolition) Bill 2013 [No. 2] and No. 2 Asset Recycling Fund Bill 2014 and related bill be postponed until after consideration of government business order of the day No. 3 Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2].

I will just speak briefly to the motion to indicate that the leader of the government in the Senate, Senator Abetz, convened earlier this morning a leaders, managers, whips and crossbench meeting to discuss a motion to arrange business for the remainder of the week to take account of the fact that the message has come from the other place with the carbon tax repeal package of legislation. There will be further discussions through the course of the afternoon. The government is endeavouring to work cooperatively with colleagues in this place as far as possible to endeavour to reach agreement as to how to proceed and ensure that this package of legislation is dealt with, and, also, that some other important pieces of legislation are dealt with.

Question agreed to.

STATEMENT BY THE PRESIDENT
Photography of the Senate

The PRESIDENT (12:33): Just before I call the clerk, as I indicated last week the media have requested that photographs be taken during divisions. With the concurrence of the Senate, I seek that concurrence to allow photographs to be taken by press gallery photographers of divisions in the chamber for the remainder of this week on the following three conditions that I imposed last week—that the photographs be broad shots of the chamber only, that individual senators or groups of senators not be the focus of any particular shot and that the media rules are otherwise complied with at all times. And before I seek that concurrence, I will indicate that I intend over the next coming weeks to have discussions with representatives of the press gallery about photography in the Senate chamber in general, and no action will be taken until I report back to the Senate. Do I have the concurrence of the Senate?

Question agreed to.

BILLS

Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2]

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.
to which the following amendment was moved:

At the end of the motion, add:

but the Senate is of the opinion that the repeal of the Low Income Superannuation contributions should not be concealed in this legislation as it will:

(a) diminish, by around $27,000, the retirement savings of one in three Australians,

(b) negatively impact on almost one in two working women and 80 percent of women who work part time, and

(c) will place further pressures on future governments due to increased costs to the aged pension.

Senator WATERS (Queensland) (12:34): I rise to continue my remarks against the Mineral Resource Rent Tax Repeal and Other Measures Bill 2013 which I began last night. As I mentioned last night, the Senate has already rejected this bill once. But because the coal lobby continues to call the shots in this place, here we are again. It continues to boggle my mind that we have a government that claims that we are in a budget crisis and yet is axing what, if fixed, could be a revenue raising measure. Only this government would bring down the harshest and most unfair budget in living memory and simultaneously give a tax break to the big mining companies.

Last night the Greens moved a second reading amendment to this bill to highlight one of the worst inequities of the planned abolition of the mining tax—that is, the abolition of the low-income super contribution, which, as I spelt out last night, would affect one in three Australian workers, one in two women and 80 per cent of women who work on a part-time or casual basis. We know that this government cares nought for the needs of the vulnerable. But why are they hiding the abolition of this low-income super contribution in the mining tax bill? Let us bring it out into the open. Let us have a debate on whether we think it is okay as a parliamentary chamber to make it harder for women to retire with financial security.

I also challenge this government to justify how they can give a tax break to the world's largest companies after they have delivered—or seek to deliver—the cruelest budget that is hurting ordinary Australians. Why would this government go down such a wrong headed path? Is it just ideology? Well, perhaps. But I actually think it is more stark than that. The priorities of this government are exemplified and summed up in an exchange that was leaked to the media concerning another cave-in to mining companies. When the federal government was earlier considering scrapping the multi-billion dollar diesel tax rebate paid to mining companies, a senior Liberal was reported to have said that it was never really on the agenda because, 'Gina and Twiggy would have been coming after us.' A more apt reminder of who calls the shots could not be wished for.

Senator Ian Macdonald: Now, you excused them from the debt levy. Where were you then?

The PRESIDENT: Order on my right!

Senator WATERS: Overseas mining companies are ripping ordinary Australians off, and this government is letting it happen. Let us be honest, that is how this tax was designed. It was designed to fail because the mining companies wrote it that way. After an advertising campaign which toppled the Prime Minister and shredded the resource super profits tax, the big mining companies actually got to write their own tax rules. If individuals got to write their own tax rules, the country would not have any money. So those lobbying efforts by the big
end of town—the big miners—of course changed the rate of tax from the original proposal of 40 per cent down to an effective 22 ½ per cent. A pretty good return on investment with that one!

They of course changed the minerals to which the tax applied to just coal and iron ore, not uranium, gold and other minerals. And the royalty rebate, the rebating of future increases to state royalties, is perhaps the worst example of a total lark. This allowed the revenue to be eroded by state governments. The Greens had a bill to correct that but, sadly, we received absolutely no support.

The Henry tax review had recommended replacing royalties with a profit based tax but that was considered a second best option—crediting companies for royalties paid but only if those royalty regimes were fixed at a particular point in time to ensure, obviously, that the Australian government did not then just automatically refund royalty increases. Surprise surprise, because of that massive loophole we had Western Australia, New South Wales, Queensland, South Australia and Tasmania upping their royalties, leaving the Commonwealth rebating the mining companies for that increase. What an absolute farce.

The Parliamentary Budget Office costed the Greens proposal to limit those royalty rebates to a fixed point in time—1 July 2011—at $2.2 billion over the forward estimates. Sadly, because both of the big parties are in the pocket of the mining industry, this loophole remained on the books—and, as we know, the mining tax barely raised a dime.

The other affronting aspect to the design of this tax is depreciation, whereby the mining companies can price their assets using today's inflated market values and then claim massive annual deductions under that amount, not what they actually spent on capital investment. Under the revised version the amount expected to be raised in the last financial year was $4 billion, but only $232 million was actually collected. This is despite the fact that the profits of the big three iron ore companies to whom the tax predominantly applies—BHP, Rio Tinto and Glencore Xstrata—had risen by 81 per cent in the previous financial year and their combined half-yearly profits were $14.6 billion. With Rio's half-yearly profits at $6.4 billion and BHP's at $6.5 billion you have got to wonder: if these are not super profits, what is? And sadly, as we should all know, most of those profits are shipped offshore. Only one-fifth of the industry's huge profits accrue to Australians through dividends—and, even then, direct ownership of shares only benefits those with enough discretionary income to actually invest.

Clearly there have been some winners from the mining boom—most notably, the shareholders of the companies doing the mining. But the Reserve Bank made the correct observation that: 'Since the mining sector in Australia is majority foreign owned most dividends and retained earnings accrue to foreigners and therefore do not add to national income.' And those big profits which flow offshore do not equate to more jobs for Australians. It is the government's job to govern in the public interest. Large profit margins are nice for mining companies, but they do not equal job creation; and if profits are not staying in the Australian economy, they are clearly not creating jobs. The mining industry does create some jobs—not as many as they like to claim—but even those jobs come at a cost to the broader economy. The Australian dollar, as we all know, has become volatile due to the mining boom and the fact that it has been sustained at high levels for many years now. It is also keeping interest rates higher than they otherwise would be and it is creating labour shortages of in particular regions and in certain skills. This has resulted in lower profits, fewer
jobs and lower returns to shareholders in other industries, particularly manufacturing and tourism.

We have got one chance to make sure the nation gets a share of the current windfall profits being made by 80 per cent foreign owned multinationals. That is why we are seeking to amend this bill to increase the rate of the mining tax back up to the original plan of 40 per cent and apply it to all minerals, not just iron ore and coal. We want to rebate those royalties that were in place at July 2011 so that the mining companies, not federal taxpayers, are required to pay any subsequent royalty hikes that the states impose and to allow depreciation on the book value of the amounts actually spent on mining infrastructure only. According to the post-election report by the Parliamentary Budget Office, those measures that I have just mentioned would raise an extra $21.8 billion in revenue. We are told we are in a budget crisis but, gee, what could we do with $21.8 billion of revenue! Well, maybe we could stop inflicting damage on the most vulnerable Australians by cutting the services and supports that they rely on.

The mining boom is transitioning from the capital-intensive phase to the production phase. This is when super profits occur because the revenue from production will be rising and they will be less able to deduct it against capital investments. So we need to get the super profits tax in place before those super profits are shipped offshore to foreign investors. A poll in January this year found that a majority of Australians, 54 per cent, believe multinational mining companies do not pay enough tax. And clearly they do not.

People value the things and the services that a good government should provide. They want to keep the low income super contribution, as per the Greens amendment to this bill. They want to keep Medicare as a universal healthcare entitlement that a wealthy nation can provide to its citizens, not a $7 tax on the sick which will increase pressure on hospitals. They want to keep, and even increase, funding for early childhood education right through to higher education and funding for those final two years of Gonski. They want to properly address affordable housing and homelessness rather than axing NRAS—both of which are made worse by the mining boom and fly in fly out work. They want to raise Newstart so that people have a chance to have the resources to get to that job interview and get back into employment. They want to put single parents back onto parenting payment rather than Newstart which leaves them up to $100 worse off per week. They want to fund child care so that there are more and more affordable childcare places for families and so that women have genuine choices. They want decent public transport and dental health. The list goes on with respect to what you could do with $21.8 billion were we to fix the loopholes in the mining tax rather than simply turf it out because the big mining companies would like you to do so. They do not like paying any tax. They like to write their own tax rules and would rather see this tax completely gone.

As countless economists have pointed out, most of the profits earned by Australia's mining industry flow to foreign shareholders. They are not spent in Australia, which means that the mining industry adds surprisingly little to the domestic jobs market. But despite the potential of a mining superprofits tax to reinvest wealth generated by mining into the Australian economy, the all-knowing, all-seeing coalition MPs remain steadfast in their opposition to it. Experts say that a mining superprofits tax would actually promote job creation.
The current government's approach is short-sighted in the extreme and economically unsustainable. Foreign-owned mining companies are damaging our natural environment, selling our resources and leaving us very little in exchange. The least we can do is get a share of their superprofits. The moguls who run the mining industry are not putting the Australian public before their own personal interests. That is our job as representatives in the federal parliament and we Greens will continue to fight for a fair share of the resources for the people of Australia, which they themselves own.

It is apposite to put the proposed repeal of the mining tax and the potential $21.8 billion in revenue that could be raised if we were to fix up the loopholes in the mining tax in the context of the budget. We know that only this government would seek to bring down the harshest budget in living memory, while trying to give a tax break to the big mining companies. We know that only this government would force young Australians to live with literally no money for six months, just for the crime of being unemployed. How on earth it thinks that will help people get jobs completely eludes me and it eludes any sense of logic. Only this government would decide to put a $7 tax on sick people, who are visiting the doctor, when actually visiting the doctor saves the system money by detecting chronic disease at an early stage. Only this government would rip billions of dollars out of higher education and leave students with a lifetime of ever-increasing debt, which is now subject to a higher interest rate that compounds.

The government want to cut the age pension. They want to cut funding for education, health and assistance for apprentices. They want to cut funding for the disability support pension. And the largest single cut in the budget was $7 billion from foreign aid over the forward estimates—money which was going to lift the world's poorest people out of poverty. There are too many cuts to remember, let alone list. But they include cuts to legal aid for the disadvantaged, cuts to services in Indigenous communities, cuts to affordable housing, cuts to the ABC and SBS, cuts to scientific research, cuts to dental care, cuts to preventative health, cuts to the arts and cuts to renewable energy. And, of course, there are cuts to the natural environment, by way of axing the Biodiversity Fund; cuts to funding for Landcare; cuts to natural resource management programs; and cuts to funding for the Great Barrier Reef Marine Park Authority.

In the very same breath as all of those cuts, the government are seeking to axe the carbon price paid by the big polluters, forgoing $18 billion over the forward estimates. They want to axe the mining tax and, again, forgo $21.8 billion from the mining tax; if those loopholes were to be closed. And they want to cut the rate of corporate tax by 1½ per cent. Ultimately, it is very clear what the priorities of the government are: deliver for the big end of town and let ordinary Australians suffer, while coalition MPs laugh all the way to the bank. If that is what you think, then I am afraid you have got another think coming. You may win the battle today, but you will not win the war.

The hearts and minds of the Australian community are firmly fixed on this harsh budget and they oppose it with every fibre of their being, just as we in this place do and just as we will with respect to the mining tax repeal bill. We stand for a fair share of the profits being raised by the big mining companies going back into the Australian community and for them to properly clean up the mess that they create.
Senator SMITH (Western Australia) (12:49): Mr President, it has been remiss of me on previous occasions not to have congratulated you on your elevation to the high office of President of the Senate. So can I use this opportunity to convey to you my best wishes on your presidency.

As a Western Australian senator, I am particularly pleased to take part in the debate around this bill, the Minerals Resource Rent Tax Repeal and other Measures Bill 2013 [No. 2], to finally rid us of Labor's mining tax, which stands as a symbol of the Labor Party's betrayal of Western Australia. It will not come as news to anyone, at least no-one on this side of the chamber, that the mining and resources sector is of critical importance to my home state of Western Australia. Indeed, just last week I had the opportunity to attend the 2014 Association of Mining and Exploration Companies, AMEC, at its conference in Perth. AMEC is the peak industry body for mineral and exploration companies in Australia and its conference is one of the most significant gatherings to take place in Western Australia each year.

It was a particularly important gathering this year because, over the past 12 months, we have been hearing a lot of gloomy predictions—if the doomsday predictions of some commentators are to be believed—about the mining sector in Western Australia and about an imminent collapse of the Western Australian economy. I am pleased to report that this is very far from the case and I will come to some of the numbers in a moment. But the overarching message that emerged from last week's conference was the need for certainty. That should not come as a great surprise. We know and understand that business likes certainty. That is what this government is seeking to provide. Whether it be on the repeal of the mining tax, the repeal of the carbon tax or its commitment to put the budget back on a sustainable path to surplus, this government is determined to put Australia back on track.

I know that Senator Dastyari enjoys it when I quote Paul Keating and, indeed, despite our political differences, I think there is much wisdom in some of the former Prime Minister's words. At the time of the 1996 election, Mr Keating said:

If you change the government, you change the country.

There is probably no starker demonstration of that than the change that came over Australia in the period following the change of government in 2007. Because, in 2007, Australia was a confident, strong economy with a substantial budget surplus, low unemployment and strong jobs growth. But the Labor Party soon put end to that.

I know the typical response to that charge is 'global financial crisis' and I readily admit that the Rudd Labor government did have to deal with that enormous challenge. The fact it was able to do so is not any particular tribute to its own skills but rather the fact that it was bequeathed the financial resources to do so by its predecessor, the Howard government. Because Australia had such a large budget surplus at that time, the Labor Party was able to implement a range of measures that it felt were required to stave off a serious economic problem.

History has shown that many of those spending priorities were wrongheaded, but that is a debate for another occasion. However, I do want to make the point that none of us in this place can claim a gift of economic clairvoyance, at least not with any certainty of accuracy. We do not know what is around the corner, what economic shocks may await us in the short and medium term. What we do know, however, is that, if there were to be another global financial crisis next week, then Australia could not respond as it did in 2008, because the
economic buffer that we had built, that the Howard government had established—a strong budget surplus—is gone. Despite promising for six years that they had a plan, that the surplus was coming, the former Treasurer the member for Lilley never managed to actually deliver one. He did not even come close. So, as is usually the case, it now falls to the coalition to repair the budget mess created by others and to restore some sense of certainty and confidence to the Australian economy.

One of the best ways to do that is to remove from Australian businesses and producers the burden of unnecessary and ineffective taxes such as Labor's mining tax. If you actually care about workers, if you actually care about creating job opportunities, as those opposite insist they do, then the best thing government can do is let businesses get on with it and not create additional economic uncertainty through experimental tax measures. It is not just members of the coalition who are saying this. Last week in Perth, at the AMEC conference I mentioned a few moments ago, the Treasury secretary, Dr Martin Parkinson, had this to say, as reported in *The Australian* newspaper last week:

Proposals which work in a textbook but fail to recognise commercial realities (particularly in business tax), will eventually be found out.

Their purported benefits may well prove illusory, the costs they impose may be greater than assumed, and they might be difficult, if not impossible, to implement.

That is an eloquent summation of everything that was wrong with Labor's mining tax, both the Rudd and Gillard iterations of it. It was designed in secret in the dying days of Kevin Rudd's first period as Prime Minister and dropped on the mining and resources community without warning. I will not tread over the well-worn ground, but we all know what happened next. Julia Gillard and Wayne Swan used the savage public and business reaction against the mining tax as a stick with which to beat Kevin Rudd and then to take his job. The new Prime Minister, the self-styled 'great negotiator', proceeded to do a deal with Australia's three largest mining companies on a new version of the mining tax, which she dubbed the minerals resource rent tax, better known as the MRRT. The ink was not dry when Julia Gillard rushed into a press conference to declare she had won a great victory, and then, almost as quickly, she rushed off to Yarralumla to call the election at which she proceeded to lose Labor's parliamentary majority.

One of the problems with the MRRT—and there are many—is that it was a political fix, not an economic solution. It was designed to get Labor through an election campaign, not to correct our economic woes. However, as with most things the Gillard Labor government did, its mining tax did not bear up to scrutiny and it did not deliver the outcomes it promised. Remember, when the mining tax was first proposed under Kevin Rudd, it was projected to raise around $50 billion in revenue. The version of the tax that Julia Gillard cobbled together saw a significant write-down of that projection, to $26.5 billion—a notable reduction but still a significant amount of revenue. But the problem was that that was not the first downward revision of projected revenue to be raised by the mining tax. The reductions, the revisions, kept coming and coming. So, in February 2012, the member for Lilley, still Treasurer, was forced to concede that, in the first six months of its operation, Labor's mining tax had raised just $126 million—falling ridiculously short of the tens of billions originally projected. It then emerged that only around 20 mining companies had actually been required to pay the MRRT but that another 145 had been required to go through the process of compliance—that is,
enduring the time and expense of employing accountants, lawyers and other various advisers and submitting reams of paperwork, all for a tax they were not actually required to pay. This, apparently, was the Labor Party's idea of good, sound sensible economic policy.

Ultimately, Labor's mining tax raised around $400 million in total over Labor's period in office. That is $26.5 billion projected and a paltry $400 million raised. You might think that a government would be chastened by such a disastrous failure and admit that it had got it wrong. But we are talking here about the Australian Labor Party. Although it is now two decades since he retired from this chamber, evidently Graham Richardson's exhortation to do 'whatever it takes' remains the Labor Party's key informing principle, because, completely ignoring the fact that its MRRT was not raising anywhere near the level of revenue it had promised, the Labor Party nonetheless ran around Australia promising people and communities projects and policies that were to be funded out of the mining tax. In fact, the former Labor government locked in around $16.7 billion in spending commitments from a tax that raised just $400 million. With this kind of irresponsible approach, it is small wonder that Australia now has a serious debt and deficit problem, though, to be fair, the Labor Party seemingly cannot see that either, or at least not yet.

As a senator with an especially keen interest in WA's regional communities, I think this is something worth noting. Labor's behaviour in the lead-up to the 2013 election, when it cynically promised the earth to regional communities by announcing a swag of projects through the Regional Development Australia Fund, knowing that there was simply no money there, is one of the most brazen political betrayals I have yet witnessed as a member of parliament. It is simply outrageous to falsely build up the hopes of regional communities, in the hope that promises of funding on the never-never will be enough to sustain you through an election campaign. During its final weeks in office, the Labor Party added almost 1,000 projects to the Regional Development Australia list. Many of these did not go through a proper assessment process and were not contracted. But that did not stop the Labor Party announcing them as funding commitments, even though it knew full well that the money to fund them—money that was supposed to be raised by the MRRT—simply did not exist. It was a cruel, calculated and cynical attempt to buy the votes of those living in regional communities, and the Labor Party should be ashamed of its own behaviour on this front, though I have not yet heard any expressions of remorse coming from senators opposite.

I said earlier that the mining and resources sector is of critical ongoing importance to Western Australia, and as a West Australian senator I am determined to do everything I can to facilitate confidence and certainty in the sector. Despite the challenges in the international economy and the falling iron ore price, the value of Western Australia's resources sector reached a record $113.8 billion in 2013. Within that, it is still iron ore and gold that remain the dominant exports, together accounting for 86 per cent of mineral sales last year. Over recent years, WA's mining and resources sector has experienced relatively high levels of capital investment, averaging around $140 billion over the three most recent financial years. But, as we all know, many mining projects in Western Australia are now transitioning from their construction phase to their operational phase.

Accordingly, the question for governments, both federal and state, is increasingly about what we can do to boost confidence levels and provide a more effective and efficient regulatory framework for operators to do business in. From a federal standpoint, the best thing
we can do right now is to remove the burden of Labor’s ineffective and unnecessary minerals resource rent tax. That is what this government said it would do and, after many months of posturing and delay from Labor and the Greens, it is what this Senate should do now. Because, as successful as our mining and resources sector is, there is scope for it to do better. The Fraser Institute’s 2013 Annual Survey of Mining Companies was quite revealing in this respect. Each year, the survey measures how items like regulatory certainty impact upon investor confidence. While I am proud to say that WA was easily ranked as the best Australian jurisdiction, WA was ranked sixth in the world in the institute’s policy perception index.

Sixth in the world is not a terrible result, but the difference between those of us on this side of the chamber and those opposite can be measured in our response to that sort of result. The standard the Labor Party seem to aim for is ‘better than most others’. The standard we in the coalition aim for is ‘best of all’. That is the difference. That is why in debates over debt and deficit in this place, the Labor Party are constantly wanting to point out the size of budget deficits in other jurisdictions. However, the view I take, along with my coalition colleagues, is that ‘better than Greece’ is not the standard we should be aiming for. In public policy, we should always strive to be the best that we can be—not simply better than most others.

That is why we need to repeal the mining tax—to improve policy perception for investors and make sure that our mining and resources sector can maintain their strong levels of performance, particularly given the challenge of falling commodity prices. That issue alone is enough for our mining companies to be dealing with, without the added burden of ongoing compliance with a failed, utterly discredited MRRT—which the Greens are hand in glove with in terms of their support for the previous Labor government.

The repeal of the mining tax and its associated expenditure will improve the budget bottom line over the current forward estimates by nearly $13 billion. The repeal of the MRRT will also provide welcome relief on compliance costs, saving millions of dollars for small, medium and large enterprises. Instead of those millions of dollars being poured into paperwork, these enterprises will now be able to spend them on core activities—which will boost the prospects for job creation.

There are some in the Labor Party who actually recognise this. Mark Bishop was, until a couple of weeks ago, a colleague of ours in this chamber. It is a very sad thing for the Labor Party that he is no longer with us in this place, because he at least was able to see sense on this point. On ABC radio’s AM program on 7 April this year, now former Labor Senator Mark Bishop had this to say in relation to Labor’s mining tax in WA:

We hold three seats out of 15 and the simple reason is that, in this state—
in Western Australia—
we speak a language that is either not understood by voters, or, if understood, rejected.

This state is different to the east coast of Australia, we don’t have any manufacturing industry of significant consequence, and whilst they are important on the east coast, other industries are important over here.

‘over here’ meaning Western Australia—
And the people who work in those industries, people who own those industries, the people who run those industries are wilfully and continuously ignored by the leadership of the Labor party. The result is we get 21 or 22 per cent of the primary vote in a by-election.

The mining tax, the carbon tax, have been an ongoing problem for at least five years. This mining tax was never understood, never been sold adequately, it's been a failure in practice. In practice, it has not worked. Why on God's green we defend a failed tax that doesn't raise money I will never understand.

They are not my words; they are the words of former Labor Senator Mark Bishop.

Regrettably, Mark Bishop was firmly in the minority inside the Australian Labor Party and, to their detriment, is no longer in this place. Instead, we have the sort of half-hearted, conflicted and confused views offered by people like the member for Perth, the shadow parliamentary secretary for Western Australia. Poor Ms. MacTiernan does not seem to quite know what her position is on the mining tax. On 19 March this year at the doors of this parliamentary building, she said the following:

I think it would be fair to say that the mining tax hasn't done the job that it was designed to do.

And so say all of us, at least on this side of the chamber! Yet, just four days later, on 23 March—and presumably after the Leader of the Opposition or other colleagues had put the hard word on her—Ms MacTiernan, the federal Labor member for Perth, was back in the mining tax supporters club, saying, when she appeared on ABC News 24:

Certainly I support the mining tax. I think the idea of a profits-based tax is an extremely good one and I think we've got to get this very clear. This was the position that the industry actually wanted.

This is the person the Leader of the Opposition, Mr. Shorten, tapped as his party's chief spokesperson for Western Australia—and what does she do; how does she act? She falls right in line with the preferred position of her dominant eastern states colleagues in the ALP.

It seems to me—and, I am sure, to others—that the Australian Labor Party is resolute in its determination to ignore former Labor Senator Mark Bishop's very sound advice. Labor's continuing attempts to prevent this government's efforts to repeal the mining tax are sending a very clear message to Western Australians—most particularly, to Western Australians involved in the mining and resources sector that is so crucial to job creation and economic growth in our state. There is no such equivocation inside the coalition. We understand and respect the key role that mining plays in the Western Australian economy. We understand the need for the mining sector to have ongoing certainty. That is why we, on this side of the chamber—we coalition senators—are determined to provide that certainty by repealing this failed mining tax.

Senator CAMERON (New South Wales) (13:07): I must say: if it is such a great problem in Western Australia, why couldn't Senator Smith even see his 20 minutes out? He could not even talk about the issue for 20 minutes without a series of handwritten notes—followed line by line, word by word—emanating from the minister's office, and the Prime Minister's office, running the coalition line. He could not even last 20 minutes to defend the abolition of the minerals resource rent tax.

Let me again make my position clear—and it has been clear and unequivocal for some time: the miners in this country must pay their fair share. We hear a lot from the coalition, when they are talking about their failed budget—their budget that was based on a series of lies—about how their budget is fair. The problem for the coalition is: nobody in the country believes that their budget is fair. They talk about 'lifters and leaners', as if, when you are on
the pension, you are a leaner! If you are on the disability pension you are a leaner! If you are unfortunate enough to be unemployed, you are a leaner! And you are only a lifter if you are out there working! Well, maybe they should apply the 'lifters and leaners' analogy to the mining companies who are leaning on this country, who are not paying appropriate taxation in this country, and who are registered overseas in areas where they can manipulate their tax in various countries around the world, including in Australia.

The coalition talk about the age of entitlement being over. Well, it seems to me that the age of entitlement is over for pensioners, for students, for seniors, for disability support pensioners and for Newstart workers, and it is over for the poor and unemployed in this country. But it is not over for Gina Rinehart andTwiggy Forrest, because they are entitled, under this proposal, to come in and continue to rip this country off by not paying an appropriate share of taxation to make sure that we can fund the schools, fund the roads, fund the health system, and fund the infrastructure in this country. How dare Senator Smith come in here and lecture the Labor Party, when the coalition is simply bowing down and conceding to the vested interests in this country—those vested interests being the big mining companies.

The coalition talk about doing cost-benefit analysis. Well, how about a bit of cost-benefit analysis of what it means to this society to hammer the pensioners, cut back on the health system, cut back on social security and cut back on the education system, while you let Gina Rinehart and Twiggy Forrest, BHP and Rio Tinto and all those mining companies rip us off, day in and day out? How about a bit of cost-benefit analysis on that?

They talk about the cost to future generations when they are talking about their failed budget. Well, let me talk about the cost to future generations of not ensuring that BHP, Rio Tinto and the multibillionaire miners pay their fair share of tax. What it means is that Australians will not be able to get a pension until they are 70. That is the longest retirement period for any country in the world. Why? Because, according to this mob over here, according to the Prime Minister and his minions, you are a leaner if you now retire at 65 or 66; you have got to go to 70. And yet the mining companies can continue to rip us off, mercilessly, in terms of paying a fair share of tax in this country.

They talk about 'grown-up' policies. Well, what could be a more grown-up policy than ensuring that we have a decent society in this country—that we have a good society, and that it is not a society just for those on the banks of the Swan River living in their huge mansions who can fly Senator Joyce and other parliamentarians off to weddings in India simply because they can afford to do it? How about a bit of grown-up policy on ensuring that we get a fair share in this country?

They talk about economic responsibility. What an absolute joke! Surely the economic responsibility that any government has is to take advice from experts and understand that the mining industry is not paying its fair share and understand that, by ensuring that the mining industry pays its fair share of taxation, we can then look after future generations in this country. Surely these are the main issues.

You heard Senator Smith: it raises a paltry $400 million! Well, I know where I stand on this. Give the government that $400 million so we can look after health and education, and we can make sure kids can go to university if they are from working-class backgrounds. Surely these are the issues that are important for economic responsibility; not letting the miners use...
their tax havens around the world to deny us proper payment for our natural resources, the natural resources that are making these people multibillionaires are our resources.

When you read the BRW 500 rich list, who is No. 1? Gina Rinehart. Where did Gina Rinehart get her money from? She did not get her money from going out there and working hard. She did not get her money from getting a job or inventing something new. She did not get her money because she was some great entrepreneur. She got her money because her dad left her the money. She inherited this fortune. She inherited a fortune and then she has the cheek and the hide to tell Australian workers that, unless they take pay cuts, we will not be 'flexible' enough, we will not be 'competitive' enough, against overseas countries. In 2012 Gina Rinehart in a speech to the mining industry—she did not go there; it was too much of a problem to actually go to the thing; she posted a video of her speech on a website—at the Sydney Mining Club, she said that it was not 'business as usual', and that:

… Australians should not be complacent about the investment pipeline given that African labourers will work for less than $2 a day.

This is the richest individual in Australia, one of the richest people in the world, saying 'you cannot keep doing what you are doing, because Africans will work for two dollars a day'. She said:

Furthermore, Africans want to work, and its workers are willing to work for less than $2 per day. Such statistics make me worry for this country's future.

Then she rambles on about a special tax for the mining areas in the north of Western Australia. My challenge to Gina Rinehart is: go and talk personally to some of those South African miners that are forced to work for two dollars a day. There will be none of them saying, 'We love working for two dollars a day.' Those workers are being exploited. Those workers are in some of the poorest conditions in the world. That is why you see the problems in the South African mining industry, because workers are not getting a fair go. I say to Gina Rinehart: we will never in Australia be working for what you want us to work for. We will never accept any advice from the richest person in Australia telling us that we should compare ourselves with workers earning two bucks a day.

I take the view that we need to properly tax our mining industry. It is not just my view; it is the view of some of the most senior economists in the country. It is also the view of the former Secretary of the Treasury that, if you do not make sure that you get a fair go, you will not be able to do properly what we need to do in this country.

I was on the committee that looked at the MRRT. You should not scrap the MRRT. Dr Ken Henry, the former Secretary of the Treasury, knew well that we should go down the path of the MRRT. There are issues, in my view, that we should look at in terms of the MRRT in the future. I did a dissenting report arising out of that committee and I said that there should be consistent reporting procedures for these mining companies; that we should undertake a detailed analysis of the sustainability and suitability of various allowances, including the uplift rates the long-term bond rate plus seven per cent; assess whether that bond rate is the appropriate standard for mining losses; monitor the appropriateness of the 25 per cent deduction. I took the view on a range of issues that they should be looked at but should never be scrapped, because they are absolutely important.

What we have from over the other side is basically political subservience to one of the most powerful and richest sectors in this country. This is a sector that sends 83 per cent of its
profits overseas. These are not Australian companies; these are foreign owned companies. The mob on that side of the House get multimillion dollar donations from individuals in the mining industry and from the mining companies. It goes straight into the coalition slush funds, straight into the Free Enterprise Foundation, straight into the Millennium Forum. Why would they be here, standing up for the Australian public? They are standing up for their own political position, watching the money flow in from the big mining companies and keeping them in political power. They are massively conflicted in terms of this issue.

They are facilitating rent-seeking by these over 80 per cent foreign owned companies. They are putting big business interests before the national interest. They are diminishing what we in Australia call the fair go. We are not getting a fair go from these mining companies. They are entrenching power and privilege. What else would you expect from the conservatives? What else would you expect from the Liberal and National parties? They are increasing and preserving power and privilege in this country and they are increasing inequality, because these big mining companies are not paying their fair share of tax.

This is a mob who lied their way to power in this country. They lied to pensioners; they lied to seniors; they lied to students; they lied to sick people; they lied to the mums and dads of this country. Now they are here paying the price. The fiddlers are out there fiddling. The mining companies are fiddling and they are dancing to the mining companies' tune—absolutely no doubt about it. This is what this is about.

This is a finite resource. The mineral wealth of this country is a finite resource. I was quite taken aback when we heard about how much mineral resources we have in this country. In 80 years time all of the easily extractable minerals will be gone. Hopefully, my grandkids will still be alive then. If they are still alive, they will have to adjust to a country without a mining industry. So what do we move to?

Here is a mob over here that chases companies out, chases Toyota out, chases GM out: 'We don't want you.' It tells them, 'If you don't want to survive in this country without any government assistance, just go away.' So what do they do? They go away. So what are we left with? We are left with a big hole in the ground and no future. That is what we are left with. That is why we need money now from these miners—to build the future of this country. That is why it is so important. We want a fair return so we as governments can invest in the future for our kids.

There is a thing called the resources curse, the Dutch disease. Some of you may have heard about it. It is where a country has all these mineral resources and it then puts so much pressure on the other industries, because the dollar goes through the roof and your other industries hit the wall. I have asked time and time again over the last few years: will we suffer the Dutch disease? I have been told, 'Don't worry about it, Senator Cameron, we won't, but we certainly have. All of the predictions I have heard that we will not suffer the Dutch disease—from the Reserve Bank, from the Treasury, from ministers, from treasurers at Senate committee hearings—have been proved to be so much hogwash. Our dollar is high and no one can figure out how to get the dollar down so the rest of the economy can take up the slack as the mining industry diminishes. It is a huge economic problem. It is a problem we do not seem to be able to deal with.

So the resources curse has hit Australia. The Dutch disease has hit us. But one way you can get out of it is the same way that other countries have taken. When you are making massive
profits, when the mining companies are really piling the money up—millions and billions atop millions and billions—we should get our fair share. The problem is we cannot get our fair share because the mining companies are not registered predominantly in Australia. What they do is they head off overseas, and there is a report called *Piping profits*. They pipe profits all over the world. This report simply indicates what is happening.

Just before I go to that, Glencore are one of our biggest mining companies. They bought out Xstrata Coal. They earned $15 billion of income last year. Do you know how much tax they paid out of $15 billion? Nothing—zero, zilch, not a penny—from $15 billion of income. Here is a foreign owned multinational not paying a cent. Why didn't they pay a cent? Because they borrowed money off other Glencore companies from overseas at extremely high interest rates and then came to the Australian Taxation Office and said, 'We have to pay these high interest rate loans off,' and they get tax back from the Australian government. So they manipulate the tax system everywhere. They earn $15 billion in Australia and pay not a cent in tax. If there were ever a reason why you should have a minerals resource rent tax, that is it.

So what happens to all the money that is supposed to go to our hospitals, to pay our pensions, to look after our education system? It goes back to the company's main headquarters in some tax haven overseas and then it is split around all these high-paid executives who are ripping countries off all over the world. We should stop the rip-off in Australia. The coalition should stop making excuses for mining companies that will not pay their freight in this country. They should stop being apologists for the mining companies. They should stop justifying cuts to health, education, infrastructure. They should stop that. The money can be achieved in this country only if the miners pay their fair share, and the MRRT is the start of making sure they pay their fair share. So let's build a decent country, let's make sure there is fairness and let's make sure that the leaders of the mining industry pay a fair share. *(Time expired)*

**Senator LAZARUS** (Queensland—Leader of the Palmer United Party in the Senate) *(13:27)*: I rise today to let all Australians know that the Palmer United Party supports the abolition of the mining tax, but we do not and cannot support the removal of three key low-income support measures contained within the bill that the government is seeking to abolish simply to save money. Therefore, the Palmer United Party will only support the abolition of the mining tax on the condition that the three key low-income support measures are retained, as these allow for the provision of vital support to Australian low-income earners. These are the low-income superannuation contribution, the income support bonus and the schoolkids bonus.

While my Palmer United colleagues and I support the repeal of the minerals resource rent tax—commonly known as the mining tax—because it is an unjust, anticompetitive and malicious tax which only serves to hurt the Australian resource sector and, more broadly, the economy and social wellbeing of our country, we will not allow the removal of vital support from many Australians who most need our help. Therefore, as leader of the Palmer United Senate team, I propose and have circulated an amendment which will ensure the retention of the low-income super contribution. My Palmer United Senate colleague and deputy leader of the Palmer United Senate team, Senator Lambie, has proposed and circulated amendments to ensure the retention of the schoolkids bonus and income support bonus.
The Palmer United Party is committed to reuniting the nation and supporting all Australians to live a full, secure, productive and meaningful life. The Palmer United Party is determined to ensure all Australians have the opportunity to retire without fear of poverty and neglect. The low-income super contribution is a prudent, meaningful and well-thought-out initiative which helps the most needy in our community to plan and to save for their future. Low-income earners have their superannuation taxed at 15 per cent, even though they do not earn enough to be taxed on their income. This makes it very difficult for low-income earners to save for retirement.

The low-income super contribution helps low-income earners to save for their retirement by providing a payment of up to $500 a year which is paid directly into their super account. The low-income super contribution initiative recognises that we must help the most vulnerable in our community to live a decent, fulfilling and rewarding life in retirement by helping them to save for their retirement. When the low-income super contribution was introduced, it was estimated that the program would benefit some 3.6 million Australians on low and modest incomes, including 2.1 million women.

While a maximum super contribution of $500 does not sound like much, it can add substantially to the final super balance accrued at the time of retirement. For example, according to the Australia Institute, a low-income earner of 25 years of age who receives $500 per year and retires at the age of 65 will accrue additional super of $37,700 on retirement due to the low-income super contribution. If the low-income super contribution is repealed the eventual super payout will be $37,700 less. If the low-income super contribution is repealed, women across Australia will be negatively impacted and will lose vital financial security for their future. The Palmer United Party cannot and will not support such reckless, callous, ruthless and thoughtless harm being imposed on Australian women and low-income earners.

The government should be introducing and maintaining measures to enhance the involvement and contribution of women to Australia's economy, not creating barriers to their participation and financial wellbeing. In particular, the government should be supporting those who are working hard to support themselves and their families without relying solely on the financial assistance of others, not penalising them. Every Australian deserves to retire with dignity and to enjoy life after many years of hard work. Retaining the low-income super contribution will enable many low-income earners who are desperately struggling to pay even the most basic of bills day to day like food, power and petrol, let alone saving for retirement, to look forward to retirement and a future which offers hope, security, happiness and independence without financial reliance on others. I am at a loss to understand why the government would want to remove a program which provides such vital support to Australians most in need—honest, decent Australians who work hard, raise families, endure challenges and hardships, volunteer their time, support their local community and care for others.

If the low-income super contribution is removed, in my home state of Queensland alone some 22,947 people in the federal seat of Wide Bay will be affected. That is 44.4 per cent of working people in this part of Queensland, which takes in iconic towns such as Gympie and Maryborough, who will lose up to $500 in superannuation each year. A further 27,568 people in the federal seat of Maranoa will be affected. That is nearly 43 per cent of working employees in this part of Queensland who will lose up to $500 in superannuation each year.
Hardworking Queenslanders in this area, which includes iconic towns such as Kingaroy, Longreach, Roma, Warwick and Charleville, will be needlessly affected. And it gets worse. If the low-income super contribution is removed, in the federal seat of Hinkler the number of people affected will be 19,800. That is 42.3 per cent of the working population in this part of Queensland, which includes iconic towns such as Bundaberg, Hervey Bay and Childers, who will be hurt.

Regional and rural Australia is already on its knees. Much of my state of Queensland consists of regional and rural areas, and people in these areas are doing it tough. They are hurting. Suicides are a regular occurrence among our farmers. I find it extraordinary that the government would want to remove the low-income super contribution, given the financial harm this will cause to regional and rural Australia. The Palmer United Party will not allow the government to hurt regional and rural Australia by ceasing the low-income super contribution. The Palmer United Party cares about regional and rural Australia.

We as representatives of the Australian people and I as a senator for Queensland have an obligation to take care of our people, to treat our citizens with respect, decency and kindness and, above all, to help those who need assistance to help themselves. The low-income super contribution must continue. I cannot allow so many Australians, so many Queenslanders, to be hurt by this government's ruthless, unnecessary and unAustralian attempt to penny pinch and remove the low-income super contribution. Australia needs real leadership, and the amendments we will propose provide us with the opportunity to deliver on this need. The low-income super contribution is an investment in our people's future and it must be retained, so I commend the essential amendments to the Senate.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (13:36): Mr Acting Deputy President, welcome to Groundhog Day! We spoke in the chamber earlier this year on the bill to repeal the minerals resource rent tax. Like with the carbon bills that we have debated again and again and will debate again this week, we are back to debate legislation on the minerals resource rent tax again. This time the bill before us, the Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2], may well pass with the support of Mr Palmer's friends in this place—although if those opposite try and double-deal with him again who knows what might happen. Those opposite need to start dealing with the crossbenchers honestly and with some respect.

As I said in my contribution earlier this year, those opposite claimed they would be a 'no surprises' government. What a joke, because this government are nothing but surprises. Australians are waking up to a new surprise every day. Unfortunately, those opposite are trying to fool all of the people all of the time; the Australian people are sick to death of it. I have never seen so much anger in the community over a budget as I have with the budget the government have just delivered. The people of Australia are stunned, absolutely stunned, that this government could try to pass changes that are so fundamentally against Australian values, and they are still in shock that the government want to utterly abolish the principle of universal health care for all, which has underpinned this nation for 30 years.

But the Australian people are not fooled by this government. They are waking up to this government trying to abolish the schoolkids bonus by stealth in this bill, costing the average family $15,000 over the period of their children's schooling. Small business owners are waking up to the fact that they will be thousands of dollars worse off as the instant asset
write-off is slashed from $5,000 to $1,000 because of this bill. Regional communities are waking up to the fact that they have lost hundreds of millions of dollars in funding through the abolition of the Regional Infrastructure Fund and the Regional Development Australia Fund. And the Australian people have woken up to Mr Abbott's plan to abolish the low-income super tax contribution but keep generous tax concessions for high-income earners. Most Australian people have angrily spoken out against it.

The Prime Minister and those who sit on the opposite side of this chamber were not upfront with the Australian people. They did not explain to the Australian people that when they said 'axe the tax' they actually meant 'cut your retirement savings, hurt small businesses, make it harder to pay for your children's education and let rural and regional communities fall into disrepair'. I know that it is not as catchy, but it certainly is a lot more honest. But as they like three-word sound bites, the Liberal-National government could have found some to honestly campaign with to convey their intentions to the Australian people. 'Tax the sick' could have been one. They could also have used 'business tax increase', 'no new uniforms', or 'help rich miners'. 'Let regions rot' would have been another accurate three-word catchphrase for this government. I am wondering why the government did not campaign using any of these three-word slogans. Of course they knew if they actually took the time to explain their policies deliberately targeting those Australians who are least well-off then no-one would have voted them in.

Many Australians feel that they were duped by those opposite, that they were not given the full story. This government has put forward policies that the people of Australia are vehemently opposed to. Some may have been mentioned in the fine print, but they certainly did not appear in the TV ads or in the fliers that appeared in people's letterboxes. Others were not mentioned at all. No radio ad was targeted to people over 50 on Newstart saying the income support bonus for them would be cut. No Liberal doorknocker stood on a family's doorstep to tell them that there was going to be a $7 GP tax increase. No TV ads said the schoolkids bonus would be axed and it would not even reinstate the education tax refund, which it replaced. No fridge magnets were sent to the 2.7 million small businesses to tell them that the instant asset write-off would be reduced by 80 per cent. Perhaps the three-word slogan it should have campaigned on was 'lack of vision' because it takes an extraordinary lack of vision to not see that helping those on the lowest incomes builds up their retirement savings, helping the whole of Australian society. It takes an extraordinary lack of vision to not see that regional Australia is in need of infrastructure to drive growth, especially in the economies of rural communities, and to improve the quality of life of people in these communities. And it takes an extraordinary lack of vision to not see that that parents can afford the required books, stationery, computer equipment and uniforms result in better educational outcomes for their children and higher productivity for society as a whole.

The explanatory memorandum to this bill outlines the financial impact of discontinuing the Regional Infrastructure Fund and the Regional Development Australia Fund. It also explains that no legislative changes are required to discontinue the Regional Infrastructure Fund and the Regional Development Australia Fund. Then why is the axed money being counted in the financial impact of this bill? What a disingenuous stunt by those opposite. We have already seen the axing of the Regional Development Australia Fund and the purpose of the Regional
Development Australia Fund—the RDAF—is to support regional areas of Australia with infrastructure needs.

I am really disappointed that the Nationals are once again supporting cuts to regional Australia. Despite what they say, the Nationals are not standing up for rural Australia—

Senator Nash: Rubbish!

Senator BILYK: because they are supporting a GP tax that will disproportionately affect rural Australia.

Senator Nash: Absolute rubbish!

Senator BILYK: They are supporting a fuel tax that will disproportionately affect Australia.

Senator Nash interjecting—

Senator BILYK: They are supporting a paid parental leave scheme that will disproportionately affect rural Australia.

Senator Nash interjecting—

Senator BILYK: I thought, Senator Nash, that you would have fought harder for the communities you claim to represent. It was ironic that it was the Nationals leader and Deputy Prime Minister, Warren Truss, who revealed the government will not fund projects in round 5 of the Regional Development Australia Fund, which were worth about $3 million to my home state of Tasmania. Even when the minister responsible for regional Australia is the Leader of the Nationals, they still cut investment in infrastructure in regional Australia. And I have spoken previously in this place about the projects that have been axed by the Liberals and the Nationals.

Senator Nash: Fifty billion dollars is not a cut!

Senator BILYK: You should listen to this, Senator Nash. These include projects at St Helens, Geilston Bay, Devonport, the central coast municipality, Triabunna, Glenorchy, Ranelagh and Huonville. These are all projects that would have improved the quality of life for people in these and surrounding communities, created jobs and improved fitness and general welfare. These are projects supported by the local governments in these regions, and it is disappointing that those opposite are continuing to hack away, axing projects without any support.

It is Labor that cares about regional infrastructure. The former Labor government’s $6 billion Regional Infrastructure Fund—or RIF—was to invest in nation building projects to build productive economic capacity so that we can sustainably grow of our economy with low inflation in the years to come. The RIF would have meant more investment in rail, roads, ports and other critical economic infrastructure to support the workforce and jobs in regional and mining communities. And it is disgraceful, absolutely disgraceful, that the Nationals will just sit there and not stand up for regional communities. Those opposite have definitely got their priorities wrong. You should be governing in the interests of the Australian people, not friends in big business. It is utterly amazing that, in debating this bill today, they are giving billions of dollars of tax breaks to mining companies while, at the same time, wanting to get rid of tax breaks on superannuation for those earning under $37,000 and getting rid of all support to meet children’s education costs. They give billions of dollars of tax breaks for
mining companies while at the same time getting rid of tax breaks for small businesses. So much for the party of small business. This tells you something about the priorities of this government. Help those who bankroll the Liberal National Party and ignore the rest. Help your mates in the mining sector and tread on everybody else. Unlike those who are acting in the self-interest of a small minority, we on this side of the chamber believe that a profits based tax on minerals sectors—minerals which belong to the Australian people—is a good reform. It is about ensuring Australians get a fair return for their resources. I do not know why those opposite have such a problem with the minerals resource rent tax as it applies only when miners are making extraordinary and incredible profits.

We know that cycles go through booms and troughs, and this tax applies when things are booming. According to your own financial impact statement in the bill’s explanatory memorandum—your numbers, not ours—this bill will give big miners a $3.3 billion dollar tax cut over the forward estimates. Gee, what a budget emergency we must have when you are giving such a big tax break to mining industry! It would seem like your budget emergency is a giant furphy. And to add insult to injury, while cutting the low income super contributions to millions of Australians, including 2.1 million Australian women, the Liberals and Nationals are boosting the super for 16,000 people who have over $2 million in super balances. I am glad to hear public statements that the Palmer senators will not be supporting the cut to the low income super contribution, the LISC.

But I will speak on the LISC for the benefit of other senators in this place. A significant percentage of the women that would have been affected by the abolition of the LISC are mothers working part-time while looking after young children. This is exactly the time in women’s careers where an additional $500 a year going into superannuation would be of most benefit for building savings towards their retirement. Industry Super Australia estimates that when combined with the proposed delay in increasing the super guarantee to 12 per cent the removal of the LISC will reduce national savings by $53 billion by 2021-22. And, as everyone listening would know, one of the major investors in Australian infrastructure is superannuation funds.

This thoughtless attack on low-income earners is not only hurting the lowest paid Australian workers; it is also thoughtlessly sabotaging Australia’s capacity to build infrastructure into the future. It is typical, I must say, of this heartless, visionless Abbott government. The lack of vision of those opposite is somewhat startling. Once again the surprising inclusion of cuts to the schoolkids bonus is in this bill today. I have spoken to I do not know how many people about this issue, and everyone I have spoken to is opposed to this. Parents, teachers, and those dreaded unions that those on the other side are so hung up about that represent teachers and other school workers, are opposed to this measure.

Generally when you put together a bill, it contains only things that are relevant to the issues at hand. You do not just shove random provisions into the bill. What a sneaky, underhanded trick. The schoolkids bonus is not and should never be seen to be relevant to this bill. Never! It was enacted in the Family Assistance and Other Legislation Amendment (Schoolkids Bonus Budget Measures) Bill 2012 and not in the Minerals Resources Rent Tax Bill 2011. It was never to be funded by the MRRT and linking it in this way is a shameless way to axe it.

**Senator Jacinta Collins:** It is fraud.
Senator BILYK: You are right Senator Collins; it is complete fraud. If you want to scrap the schoolkids bonus, why not present it to this place as the 'Schoolkids Bonus Repeal Bill 2014'. At least that would be open and honest rather than sneakily hiding it in the MRRT repeal bill.

The schoolkids bonus delivers parents some extra help to meet the large costs associated with sending a child to school. It is paid automatically to eligible parents just when they need it to buy uniforms, school books, laptops or tablets, stationery and any other things that their children might need for school. Those opposite are including it in this bill simply to make the financial impact of this bill look artificially better than what it actually is. It is why discontinuing the RDAF and regional infrastructure funding are included too. It is pretty disingenuous. When the schoolkids bonus was introduced those opposite opposed it because they claimed it was not specifically targeted to education. They called it a 'cash splash' and they did not trust Australian families to spend it on the educational needs of their children. They said the education tax refund was a better way, despite the fact that millions of families were not getting their full entitlements as receipts often got misplaced throughout the year. Now the Liberal-National government are scrapping the schoolkids bonus and not even reintroducing the education tax refund. And, although they supported the education tax refund and promised to increase it if elected at the 2010 election, no, they are just scrapping it. Scrapping the whole measure! Scrapping the measure that replaced it and replacing it with nothing—zilch!

They do not care about supporting Australian families at all. They do not care about supporting the education of Australian children as their recent double backflip on education shows. We know those opposite hate those on Newstart payments—a number of the previous speakers have already mentioned this. As well as attacking the young with the draconian new measures to create high levels of homelessness for those under the age of 30, this bill would also abolish the income support bonus, a tax-free payment to help people prepare for unexpected living costs such as medical expenses or car repairs. If the proposed abolition is successful, around 1.1 million low-income Australians, primarily people receiving Newstart or youth allowance, will lose the payment.

The income support bonus is an income-tax-exempt, indexed, non-means-tested payment made twice every year to eligible social security recipients. It was introduced in early 2013 'in recognition of the fact that the current rates of income support allowance payments are manifestly inadequate'. The bonus provides $210 a year to single recipients and $350 a year to most couples where both partners are eligible. The bonus is paid in instalments in March and September each year and is vital for people receiving income support to make ends meet. This is just another cruel attack on people on Newstart from those opposite. That is what this government is about—attacking those that they think won't hit back. But I believe they will and I believe that the Australian people have had enough.

This bill shows just how little those opposite care about small business as well. This bill will increase taxes on up to 2.7 million small businesses and close the loss-carry-back scheme, taking away tax breaks for up to 110,000 businesses. Often the interests of big businesses and small businesses do not align, but the coalition's plan to remove these small business investment incentives has united big and small business in opposition, with both the Australian Industry Group and the Council of Small Business of Australia speaking out
against the removal. The Abbott government is uniting Australia through hatred of its policies.

Even the coalition's friends in the Australian Industry Group do not support the provision that would reduce the small business asset write-off threshold. In evidence given to the Senate Economics Committee's inquiry into this bill, Dr Burn, from the Ai Group, stated that the existing arrangement provides a very important boost to a company's cash flow 'at a time when they need it most and at a time when it is going to be most critical in ensuring the survival of that business'. He also informed the committee that the Australian economy faced a 'large gap in investment, particularly outside the mining sector'. He stated that the proposal to remove the instant write-off facility for small business would have a material effect on them and 'decrease investment at the time it is needed most'. In his view, waiting for the tax review in these cases is 'poor timing' and that the 'timing needed is right now'.

Those opposite believe the purpose of being in government is to overturn everything the previous government did. Well, guess what? It isn't; it is to lead in the interests of the Australian people, not big business mates. Those opposite got elected on those wonderful three-word slogans!

*Senator Cash interjecting—*

*Senator BILYK:* Governing is about more than three-word slogans, glib sound bites and relentless negativity. Now they have to explain to the Australian people why a bill called repeal of the mineral resource rent tax means they are going to lose their schoolkids bonus. Now they have to explain to 2.7 million small businesses why they are getting a tax hike. The senators opposite need to explain—

*Senator Cash interjecting—*

*Senator BILYK:* Maybe if you were quiet and listened you might learn something on that side.

The ACTING DEPUTY PRESIDENT (Senator Back): Order! Quiet on my right.

*Senator BILYK:* The senators opposite need to explain to 2.1 million working women why there is going to be a tax hike on their superannuation if the LISC changes are passed. Those opposite need to explain to the people who receive the income support bonus why the Liberal-National government is taking it away just when they need their car fixed or their fridge replaced. These people cannot just be brushed aside. The only three-word slogan that the Australian people want to hear now is 'one-term Tony'.

*Senator O'NEILL* (New South Wales) (13:55): I normally say it is a pleasure to be able to rise in this place and speak on the matters that are here for our consideration. But I am finding that, day after day as I come into this place, there is not much that is pleasurable about the things that I have to say with regard to the legislation that this government is ramming through—and the deceptive nature of what they communicated before the election and the miserly view of Australia that is embedded in the legislation that comes before this House under the leadership of this new government.

The repeal of the mineral resources rent tax confirms the great fiction behind this deceptive government's concocted budget crisis. Fresh from hitting lower- and middle-income Australia with cruel cuts and tax increases, they now offer government largesse to some of the largest multinational corporations. This legislation that we are discussing today is determined to deny...
Australians fair remuneration for the sale of minerals that we as Australians own. It is our natural inheritance of the natural wealth of this country. This legislation is nothing short of corporate welfare, releasing this government from any responsibility to share profits equitably across the nation. It is another repetition of the type of legislation determined to not only to create inequity but to entrench it—to embed it in the very legislation of the nation. The Abbott government is actively encouraging the mining sector to become, in their disgraceful language, 'the leaners' and the people who are dealing the hard work lifting for this country—ordinary working people, people on middle incomes, people in small businesses right across this nation—have cause to be completely offended by this legislation repealing the mining resource rent tax coming through from this government. Hardworking families now, thanks to Tony Abbott's cruel cuts and tax increases, are going to be forced into a struggle even greater than that which they currently confront.

We have got workers being forced to pay $7 just to see a GP—reports that people are anxiety ridden and unable to actually consider even going to the doctor. They are so frightened about the fact that they might not to be able to afford the basic services that are part of the ordinary fabric of a healthy society. This sick tax has not even started yet, but so fearful are the Australian people of the legislative agenda that they have already seen revealed by this government that that is the social impact of what they are threatening to do.

Australians should get the health care they deserve; not the health care that Tony Abbott decides that they can afford. But according to this sorry excuse for a government, the actual health care of Australians comes second or a very long way behind the needs of multinational corporations in the mining sector. That is without considering the litany of unfair measures contained in the unfair budget: cuts to pensioners, cuts to students, cruel cuts to those unfortunate enough to be unemployed. The Abbott government seems to have a view that you are unfortunate enough to have little, you should be punished more for having less. Apparently the coalition believes the destitute should be destitute and they should be punished for being so. On the other hand, being a successful multinational corporation deserves a generous welfare cheque from this sham of a government. The decisions made by this government in its very short time continue to reveal the shocking list of inequity.

Debate interrupted.

MINISTERIAL ARRANGEMENTS

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): by leave—I inform the Senate that Senator Johnston will be absent from the Senate today, Tuesday, 15 July, until 4 pm in order to attend the military funeral for Lance Corporal Todd Chidgey in Gosford, New South Wales. For the purposes of question time, Senator Brandis will represent the Minister for Defence, the Minister for Veterans' Affairs and the Minister Assisting the Prime Minister for the Centenary of ANZAC, and Senator Scullion will represent the Minister for Infrastructure and Regional Development.

DISTINGUISHED VISITORS

The PRESIDENT (14:00): I draw to the attention of honourable senators the presence in the gallery today of a delegation from Vietnam, led by Associate Professor Dr Dinh Van Nha,
Chair of the Committee for Financial and Budgetary Affairs of the National Assembly. 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

Indigenous Legal Services

Senator PERIS (Northern Territory) (14:01): My question is to the Attorney-General, Senator Brandis. I refer to the $1 million cut in federal funding to the North Australian Aboriginal Justice Agency, commonly known as NAAJA, which has forced the closure of its office in East Arnhem Land. How is this cut consistent with the promise from the Minister for Indigenous Affairs that the $½ billion cut to Indigenous programs in the government's first budget will not affect front-line services?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:01): Thank you, Senator Peris, for that question. The government is trying to do what it can to protect front-line legal assistance services, not merely to Indigenous people but to all Australians, but there is, unfortunately, Senator Peris, as you would be aware, a budget emergency in Australia today.

Opposition senators interjecting—

The PRESIDENT: Order on my left!

Senator BRANDIS: I note that there is mocking laughter from the other side, but it is an incontrovertible fact that when the Labor Party were elected to government, not quite seven years ago, this country had no public debt. When the Labor Party left office last year we had the greatest level of public debt in Australia's history and they returned not a single surplus budget—

The PRESIDENT: Pause the clock. Do you have a point of order, Senator Moore?

Senator Moore: Mr President, my point of order is on direct relevance to the question about the legal services provided by NAAJA and how budget cuts impact on front-line services in the Northern Territory.

The PRESIDENT: Thank you, Senator Moore.

Senator Moore interjecting—

The PRESIDENT: Order! Senator Moore, you have raised your point of order. The minister has just under one minute left to answer his question. I draw the minister's attention to the question.

Senator BRANDIS: Mr President, I am just trying to contextualise the fact that there is not as much money as we would like for some of these services because the Labor Party left no money in the budget for them. That being said, I can inform Senator Peris that NAAJA will be funded in 2014-15 to the extent of $290,000 through the safety and wellbeing program. I can also inform Senator Peris that all funding provided under the Indigenous legal assistance program to Aboriginal and Torres Strait Islander legal services remains in place until at least 30 June 2015. I can finally inform Senator Peris that the government has recently provided a one-off funding allocation— (Time expired)
Senator PERIS (Northern Territory) (14:04): Mr President, I ask a supplementary question. Is the minister aware that if you are born Aboriginal in this country you are 15 times more likely to end up in prison? Given programs run by Aboriginal and Torres Strait Islander legal services have been proven to cut crime and reduce reoffending, will incarceration rates increase as a result of the government ripping $13 million out of Indigenous legal services?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:04): Before I address that, can I finish what I was about to say. The government have provided a one-off funding allocation of more than $600,000 to NAAJA for front-line legal services. That is what we are doing for NAAJA.

In relation to Senator Peris’s most recent question, the government is certainly aware that the need for the provision of front-line access to justice services in Indigenous communities is the greatest relative need in that system and that is why it is where the government spends relatively the greatest amount of funding. Of the elements of Commonwealth legal assistance to state and territory legal aid commissions, to community legal centres and to Aboriginal and Torres Strait Islander legal services, proportionately the greatest concentration of that funding is on the latter of those for the very reason you identify.

Senator PERIS (Northern Territory) (14:05): Mr President, I ask a further supplementary question. The NAAJA office in East Arnhem Land is due to close in January. Will the Attorney-General today guarantee to visit the East Arnhem Land office in order to witness firsthand the important work they undertake before government funding cuts force its closure?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:05): Senator Peris, I would very much like to do that. In fact, I will be visiting East Arnhem Land next month to attend the Garma Festival. If I can fit in a visit to the NAAJA premises I will.

Budget

Senator BERNARDI (South Australia) (14:06): My question is to the Minister for Finance and the Minister representing the Treasurer, Senator Cormann. Can the minister please advise the Senate of support by senior economic commentators for the need to repair the budget?

Senator CORMANN (Western Australia—Minister for Finance) (14:06): I thank Senator Bernardi for that question. Yesterday I was able to remind the Senate that former Treasurer Swan was a great believer when it came to surplus budgets. He was never quite able to get there, but at least he understood the importance. He understood how important it was for people sitting around the kitchen table. Even after he aspired to deliver a surplus what we got was $191 billion in deficits in his first five budgets, another $123 billion in projected deficits in his last budget and a spending growth trajectory that was going to take us to government debt of $667 billion.

The spending growth trajectory that Labor put Australia on is really the biggest concern that we are facing right now as a government because if you continue to grow spending at an unsustainable rate eventually you reach a day of reckoning. I have got another quote here for the Senate which senators might find informative. They might find that it will help them in
their considerations on how to deal with budget measures. This is from a recent speech by Glenn Stevens, the Governor of the Reserve Bank of Australia:

… the fact that the real issues with public finances are medium-term ones is not a reason to put off taking decisions to address them. On the contrary, as experience in so many other countries demonstrates, by the time these sorts of problems have gone from being out on the horizon to on our doorstep, they have usually become a lot more difficult to tackle. Early, measured actions that have effects that build up over time are a much better approach than the much tougher response that might be required if decisions were delayed.

That is what we are saying. If we do not pass the budget that was delivered two months ago, you might think the measures in the budget are tough now, but they will only become tougher in the future if we do not make these decisions today. (Time expired)

Senator BERNARDI (South Australia) (14:08): Mr President, I ask a supplementary question. I thank the minister and ask him to advise the Senate why it is so important to combine budget repair with economic reforms that strengthen Australia's economic competitiveness.

Senator CORMANN (Western Australia—Minister for Finance) (14:08): That is another very good question from Senator Bernardi. When we were elected to government in September we inherited an economy growing below trend, we inherited rising unemployment, we inherited low consumer confidence, we inherited business investment which had plateaued, we inherited a debt and deficit disaster and we inherited a spending growth trajectory which was unsustainable. We must turn that situation around because, if we want to protect our living standards, if we want to build opportunity and prosperity for the future and if we want to grow a stronger economy, we have to get rid of the carbon tax and the mining tax and we have to get our budget under control. Why do we need to get our budget under control? This is a very important point for people to consider. Do you think that any parent around Australia would want to put their hand into their children's pocket to pay their credit card for them? Do you think that any parent in Australia would ask their children to pay off their credit card bill? Of course they would not. And neither should the Australian government. We should not be expecting our children and grandchildren to pay our bills. (Time expired)

Senator BERNARDI (South Australia) (14:09): Mr President, I ask a further supplementary question. I ask the minister if he is aware of any alternative plans to repair the budget and build a stronger, more prosperous economy.

Senator CORMANN (Western Australia—Minister for Finance) (14:09): There is a lot of politics from the Labor Party, but there is no alternative plan, Senator Bernardi. The Labor Party in government created the mess that this government now has to deal with. We are taking responsibility to deal with the debt and deficit disaster that we have inherited. At least Wayne Swan believed in a surplus. At least he wanted to get there. But now, under Mr Shorten and Mr Bowen, the Labor Party has given up on the national interest. They have given up on the important decisions that need to be made in order to strengthen our country for the future, in order to make sure that we stop borrowing from our children and grandchildren to fund our lifestyle today. I would ask you: would any of you expect your children to pay off your credit card? Would you continue to run a big chunk of your grocery bills on your credit card, take a second credit card to pay the interest and then ask your
children and grandchildren to pay your bill? I suspect you will not, and neither should the Australian government.

**Employment**

**Senator KIM CARR** (Victoria) (14:10): My question without notice is to the Minister for Employment, Senator Abetz. According to a recent newspaper report, Wangaratta textile manufacturer Bruck Textile Technologies was recently bought for a token $1. The report suggested the purchasing company did so to avoid paying entitlements to 60 sacked workers who have been told that they would not be receiving annual leave, long service leave, notice pay or redundancy pay entitlements. What action has the minister taken in response to these alarming developments?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:11): On this rare occasion, I actually agree with Senator Carr. This is a most alarming revelation and assertion that has been made. The former member for Indi rang me about this matter expressing her very real disappointment as to what has happened with this particular enterprise. I have received information about this—and we have to be careful that we do not prejudge; but, on the face of it, things do look ugly, if I can use that term, and that is why—

*Senator Lines interjecting—*

**Senator ABETZ:** If Senator Lines can just allow a non-political answer, it would be very helpful—

*Government senators interjecting—*

**The PRESIDENT:** Order on my right!

**Senator ABETZ:** because what I want to indicate to Senator Carr and to those opposition members who want to listen is that I have instructed my department to make representations to ASIC about this, and I understand that a complaint has been officially registered with ASIC, courtesy of my department making those representations on my behalf. If this has occurred then it is a matter that I would invite ASIC to have a look at. We do have to establish the facts, and we have had circumstances in this place—for example, with a question from Senator Hanson-Young last week—where certain things have been asserted which have been shown not to be the case after being fully investigated. Having said that, the initial reports are concerning to me and concerning to the former member for Indi, who rang me.

**Senator Jacinta Collins:** And the current member.

**The PRESIDENT:** Senator Collins!

**Senator ABETZ:** Yes, and, indeed, concerning to the current member who met with my office about these matters yesterday or will be meeting with my staff today. That is why we have also indicated that the FEG entitlements, if needed, will be made available. *(Time expired)*

**Senator KIM CARR** (Victoria) (14:13): Mr President, I ask a supplementary question. On that last point, minister, if Brucks's new owners succeed in avoiding their own liabilities, will workers' entitlements be paid out of the Fair Entitlements Guarantee? Does the minister agree that his referral to ASIC should not delay workers' entitlement claims being processed as a matter of urgency under the Fair Entitlements Guarantee?
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:14): The referral of this matter to ASIC should in no way interfere with the work of any liquidator who might be called in, and according to the FEG legislation—which was Labor legislation—under which we are operating we will do all that we can to ensure that prompt payments are made. There are procedures to be gone through, such as that the company is liquidated as opposed to just being put into administration. So there are those technical issues that have to be worked through. But you can be assured that we, as a government, will seek to do everything we can through the department to ensure that workers’ entitlements, as they fall due under FEG, will be made available promptly in the event that what we suspect—namely, the company has not made provision. Of course, in those circumstances the taxpayer will come to their aid.

Senator KIM CARR (Victoria) (14:15): I have a final supplementary question. Given that you put out a press release yesterday and expressed disappointment at the events and you called on the directors of the company not to rip off workers, what practical steps can you take to ensure that workers are in fact not ripped off?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:15): I thought I had already dealt with that. A minister of the Crown—much as we think we are important—has to abide by the law. And the law in this country is that if there are problems from a company administration point of view, the relevant authority is not the minister but ASIC.

In the event that the workers' entitlements have not been looked after by former directors or a former company then it is not for me to reach into a bucket. The proper process is to go through under Labor's Fair Entitlements Guarantee legislation, and I will seek to do everything I can to expedite that. So what can I do practically? I can say to the department, 'Please administer FEG as quickly as you possibly can, under the legislation'—I have done that as well.

Financial Services

Senator WHISH-WILSON (Tasmania) (14:16): My question is to Acting Assistant Treasurer, Senator Cormann. Is the senator aware that at the Senate inquiry into the changes to the future of financial advice legislation, a witness representing the Australian Bankers' Association stated that they had an expectation, based on consultation with the current government, that changes would be made or technical amendments would be sorted out prior to 1 July. Can you confirm that your government gave the Australian Bankers' Association this expectation? Is this why you took a regulatory approach to the FoFA amendments rather than introducing contested legislation into the parliament? I seek leave to table a copy of the transcript from the Senate inquiry?

Leave granted.

Senator CORMANN (Western Australia—Minister for Finance) (14:17): We gave that commitment to the Australian people before the last election. Indeed, the commitments that we made at the last election to improve our financial advice laws were first announced back in March 2012, more than two years ago. Of course, they were based on the findings of the Joint Committee on Corporations and Financial Services into Labor's FoFA laws. At the time, we said, very transparently, that Labor's FoFA laws had some good bits in it, but also had some
very bad bits in it. We said that we would keep the good bits, like the requirement for advisers to act in the best interests of their clients, and get rid of the bad bits. We said that we would fix the uncertainty that came with sloppy drafting by the previous government. We have said that transparently on the record for two and half years. So the Australian Bankers' Association, the Association of Financial Advisers, the Financial Planning Association, the Financial Services Council, Industry Super Australia, all of them, cannot possibly be surprised by what we were going to do because we laid it out very clearly into the lead up to the last election. It was part of our policy.

Senator WHISH-WILSON (Tasmania) (14:18): Mr President, I rise on a point of order. I asked specifically whether the guarantee was given to the Australian Bankers' Association for the changes to be made before 1 July this year.

The PRESIDENT: Senator Whish-Wilson, you had three components to your question. You said: is the minister aware, can you confirm and is this why? It was a very wide-ranging question. The minister is directly relevant. Minister Cormann, you have to call.

Senator CORMANN (Western Australia—Minister for Finance) (14:19): We have consulted widely in opposition and in government. We have consulted with a range of organisations as you would expect us to do, including the Australian Bankers' Association, the Financial Services Council, the Industry Super Network—now Industry Super Australia—and other organisations, along with all of the Australian people because it was transparently part of our policy. To remove any doubts, on 20 June, I released a five-page statement which seems to have escaped the notice of the Shadow Treasurer and the Shadow Minister for Financial Services and Superannuation because they somehow think that the regulations which took effect on 1 July were a surprise when they were actually based on a very thorough and consultative process. (Time expired)

Senator WHISH-WILSON (Tasmania) (14:20): I have a further supplementary question. The FoFA laws were designed to restore confidence and trust in the financial services industry, which is also highlighted today as the key objective in the Financial System Inquiry's interim report. Why has the government rushed through FoFA regulations before the Financial System Inquiry's final report? Is this haste why consumer groups such as Choice and National Seniors Australia are in parliament today, saying that you have failed to get their confidence and trust in protecting consumers in this country?

Senator CORMANN (Western Australia—Minister for Finance) (14:20): There is no haste, as I have just indicated in response to the primary question. We first announced those changes in March 2012. We have repeated them ad nauseum from March 2012 at every opportunity, in every speech, in every press release, in the election commitments we put to the Australian people before the last election. Senator Sinodinos consulted widely across industry on an exposure draft of the legislation and the regulations. in March when I came back into this position on a temporary basis as the Acting Assistant Treasurer, I paused implementation of the regulations at that point to conduct some further consultation.

The Senate economics committee inquiry, chaired by my good friend, Senator Bushby, investigated those particular changes and recommended that they be passed by the Senate because we got the balance right. We have been so transparent all the way through about what we are doing in the national interest—that is, keeping the consumer protections that matter but cutting the red tape that is pushing up the cost of advice. (Time expired)
Senator WHISH-WILSON (Tasmania) (14:21): Mr President, I ask a further supplementary question. On the subject of deals, the Palmer United Party have commented in the media today that they have been in discussions with the government on potential changes to the FoFA regulations. Has a deal been struck between the Palmer United Party and the government to prevent the disallowance on the FoFA regulations? And what are the details of discussions between the government and the Palmer United Party?

Senator CORMANN (Western Australia—Minister for Finance) (14:22): As always, I am an open book, Senator Whish-Wilson. I said last week that I wanted to talk to our friends on the crossbench and I have been doing that. Of course I want our friends on the crossbench—whether they be the good senators representing the Palmer United Party, whether they be Senator Ricky Muir, Senator Bob Day or Senator David Leyonhjelm—to be properly briefed on what we are actually doing rather than what the Labor Party and the Greens are misleading people into believing we are doing. Unlike the Labor Party, the Palmer United Party has engaged with the government in a very positive and constructive way and I have welcomed the engagement with the Palmer United Party. In terms of how that—

Opposition senators interjecting—

The PRESIDENT: Order on my left!

Senator CORMANN: Senator Whish-Wilson, indeed Senator Bob Day and Senator David Leyonhjelm have engaged with the government in a very positive and constructive way as well. (Time expired)

Asylum Seekers

Senator REYNOLDS (Western Australia) (14:23): Firstly, my sincere congratulations to you, Mr President, on your election. My question is to the Assistant Minister for Immigration and Border Protection, Senator Cash. Can the minister inform the Senate of the results which can be achieved when a cohesive and determined approach is adopted in relation to Australia's border protection policies?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:23): I thank Senator Reynolds for what is her first question. Yes, I can inform the Senate of the results which can be achieved when you implement policies that work. It is called restoring integrity to Australia's borders. This is what we said we would do at the 2010 election and at the 2013 election. We went to the election stating that, if elected, we would introduce policies that would stem the flow of boats to Australia and restore integrity to Australia's borders.

By way of comparison, in July 2013, under the former government, 48 boats arrived carrying 4,236 people. That equates on average to approximately 136 people every single day for the month of July. So when the senator asks, 'What are the results that can be achieved?' I say this. The first thing you do is stop the deaths at sea. Under the former government, with policies encouraged by the Australian Greens, in excess of 1,200 people were confirmed drowned at sea. So you stop the deaths at sea. You also restore fairness to the Humanitarian Settlement Services program. Thousands of refugees languishing in camps were left there by the former government because the former government had a policy that those who had the means and the opportunity to come to Australia were given precedence over those who had
spent in excess of five, 10, 15, 20 or 25 years in camps. So you restore integrity to Australian borders. The other thing you do is you return money to the budget when you stop the boats.

Senator REYNOLDS (Western Australia) (14:25): Mr President, I ask a supplementary question. Can the minister advise the Senate of differing approaches which have been used to protect Australia's borders from illegal maritime arrivals and what is the outcome of those approaches?

Senator Hanson interjecting—

The PRESIDENT: Order, Senator Hanson!

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:26): There is a fundamental difference between those on this side when it comes to border protection and those on the other side encouraged so aptly by the Australian Greens—that is, we believe in resolve. We say we are going to implement policies that will restore integrity to Australia's borders and that is exactly what we do, despite at every turn being faced with opposition by the Australian Labor Party and the Australian Greens. Who can forget the 11 different policy solutions that the former government allegedly had? They flip-flopped from policy failure to policy failure. Who can forget the greatest policy failure of all, which were the words of former Minister for Immigration and Citizenship Senator Chris Evans when he said that the proudest moment of his political career was unwinding the former Howard government's Pacific Solution. We all know what happened there and it will not be happening again under our watch. (Time expired)

Senator REYNOLDS (Western Australia) (14:27): Mr President, I ask a further supplementary question. Can the minister confirm that the strong border protection policies adopted by the Howard government led to a very significant reduction in the number of those held in immigration detention?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:27): The simple answer to the senator's question is yes. When Labor assumed office in 2007, there were four people in immigration detention and none of them were children. The Christmas Island detention centre was empty. Due to policy failure after policy failure, the former Labor government had to open or reopen a number of detention centres including Inverbrackie, Pottsville, Wickham Point, Curtin, Scherger, Yongah Hill, Blaydin Point, Darwin Airport Lodge, Berrima House, Adelaide transit accommodation, Brisbane transit accommodation, Port Augusta residential housing. I can confirm for the Senate that under the Abbott government we are doing the exact opposite; we are now closing detention centres and in fact we have already closed a significant number of facilities. Inverbrackie is due to close by mid 2015. Aqua and Lilac APODs on Christmas Island will also close by then and we will save the Australian taxpayer $283 million over four years. (Time expired)

Budget

Senator LUDLAM (Western Australia) (14:28): My question is to the Minister Representing the Minister for Communications, Senator Fifield. One day before last year's federal election then opposition leader Tony Abbott said that, 'There would be no cuts to the ABC or SBS.' Since then we have seen the $220 million cancellation of the Australia Network
contract, the efficiency review on the ABC and SBS, leading to the so-called 'down-payment budget cuts' and now it looks as though 80 jobs will be going from the ABC. Minister, will you now acknowledge that Mr Abbott's pre-election commitment was a flat-out lie or would the minister instead prefer to read some irrelevant and monotonous talking points to take up the two minutes he has been allocated.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:29): I thank Senator Ludlam for his question. As the Prime Minister made clear, both in his capacity as opposition leader and since we formed government, there is no Commonwealth government agency or department that should not look to be as efficient as it possibly can be. We on this side of the chamber are very aware of the value of every taxpayer dollar and we do not apologise for wanting to ensure that every Commonwealth government department and agency is as efficient in their expenditure of taxpayer dollars as they can possibly be. The ABC is no exception, and I would hope that the board and the management of the ABC, including the managing director, are also of the view that where efficiencies can be made that should be the case.

As colleagues would know, Minister Turnbull announced an efficiency review. We saw in the budget that there was a down payment on ABC efficiency. What is clear is that the ABC, taking efficiencies into account, should be able to continue to provide the programming and the content that they do in the wake of the decision in the budget. The decision in the budget, as is clear to colleagues on this side of the chamber, relates to back office matters. It does not relate to on-air content. I would hope that colleagues opposite could see their way to accepting what we take as a self-evidence principle of government—that it is important to be good stewards of taxpayer dollars.

**Senator LUDLAM** (Western Australia) (14:31): Mr President, I ask a supplementary question. I guess it was option 2. I understand that the Minister for Communications has today described the ABC's 80 job cuts as 'regrettable'. I also understand, although the minister can confirm this, that Minister Turnbull was cut out of the decision to appoint right-wing hardliners Janet Albrechtsen and Neil Brown to the ABC board appointments committee. Minister, who does have portfolio responsibility for the ABC—Malcolm Turnbull or Rupert Murdoch?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:32): I thank Senator Ludlam for his question but, I must say, even by his own standards that question is really below his usually rhetorical flourishes.

Let me perhaps address the actual question. I am not going to, for one second, take remotely seriously Senator Ludlam's proposition that Mr Murdoch actually controls policy in relation to the ABC. I am giving Senator Ludlam the benefit of the doubt that no-one in this chamber was intended to take that as a serious proposition. I will instead move to the other matter, which is that the Secretary to the Department of the Prime Minister and Cabinet has responsibility for the issue in relation to positions on the nomination panel for the ABC board positions.

**Senator LUDLAM** (Western Australia) (14:33): Mr President, I ask a further supplementary question. I agree with Minister Turnbull's comments that these job cuts are regrettable. It is remarkable that he did not do anything about it, but will the government now
commit to reversing the hundreds of millions of dollars in funding cuts to the ABC which directly resulted in these regrettable job cuts?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:34): I am not sure where Senator Ludlam gets his figures from when he says that there are hundreds of millions of dollars in cuts to the ABC budget. That is just completely wrong, Senator Ludlam. You may care to advise colleagues in this place where you draw that figure from, because it has absolutely no basis in fact. I will come back to where I started, which is where I hope Senator Ludlam ends up, which is: we think taxpayers work very hard for the dollars that they earn, and we should be very mindful of those dollars that the parliament requires them to render to government in taxes. Those dollars are precious; they should be deployed to their best advantage. Government agencies and departments should be as efficient as they possibly can be. It is clear that we have a different view from you on that side of the chamber. I do not think there is any government department or agency that has reached administrative nirvana. They could all do better. (Time expired)

Rural and Regional Health Services

Senator McKENZIE (Victoria) (14:35): My question is to the Assistant Minister for Health, Senator Nash. Can the minister advise the Senate about the good work that the National Centre for Farmer Health is doing in my home state of Victoria and how the government has supported the national centre?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:35): I thank Senator McKenzie for her question and for her dedicated representation of regional communities. I would be very pleased to update the Senate on the government's commitment to provide $375,000 to the National Centre for Farmer Health. This is in conjunction with the Victorian government's commitment of $250,000—and want to thank the minister, David Davis, and particularly the member for Lowan, Hugh Delahunty, for their tireless work on this. We were able to provide total funding of $625,000.

In operation since 2008, the National Centre for Farmer Health's work will continue to build on the industry, government and academic partnerships developed initially through the Sustainable Farm Families Program. The National Centre for Farmer Health will bring together university research, service delivery, government and education, by focusing on five key areas including professional training and education, applied research and development, web-based information and services, agri-safe clinics and the Sustainable Farm Families programs.

The National Centre for Farmer Health is an expert in a unique and growing discipline of agricultural health and medicine and, in partnership with Deakin University School of Medicine, deliver the only postgraduate agricultural health training available in Australia. Recent analysis of past students showed over 80 per cent working in rural settings. The Sustainable Farm Families initiative is an award-winning, proactive program that creates a bridge between health services and farm families who do not independently seek out health professionals and information. The program contextualises health, mental health and safety in a business framework, and lets farmers recognise their health and wellbeing as their most important asset. Indeed, over 2,525 farmers from 120 different locations have participated.
Senator McKENZIE (Victoria) (14:37): Mr President, I ask a supplementary question. Can the minister advise the Senate whether the Commonwealth government is providing funding to the New South Wales government to support the work of the Australian Centre for Agricultural Health and Safety based in New South Wales?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:37): As well as funding the National Centre for Farmer Health, the government has also provided funding of $375,000 in conjunction with the New South Wales government. They are providing $100,000 each year for four years to the Australian Centre for Agricultural Health and Safety. The Centre for Agricultural Health and Safety has provided the research base to underpin the development and implementation of practical intervention programs to assist agricultural communities improve health, safety and wellbeing since this time. It has a national mandate and provides information and services to all individuals and agencies involved in managing the health, wellbeing and safety of those involved in agriculture across Australia. There are many initiatives, including the mandatory fitting of roll-bar protection structures on tractors, reductions in new cases of hearing loss from noise exposure, developing resources to assist rural GPs working with farmers and improving quad bike safety.

Senator McKENZIE (Victoria) (14:38): Mr President, I ask a further supplementary question. Is the minister aware of any alternative approaches taken by government to the issue of farm safety and farmer health?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:38): It is this government that understands the importance of farm safety and farmer health, and directing funding to organisations that actively work on prevention. It was those opposite who ignored the pleas of the Victorian state government and the National Centre for Farmer Health to keep it operating. Apparently, their requests fell on deaf ears. The Victorian Minister for Health, David Davis, said:

Our appeal to the former federal Labor health minister, Tanya Plibersek, for a 1:2 funding arrangement with the Commonwealth fell on deaf ears.

Labor cried crocodile tears for the centre while refusing to fund it. As a farmer, I understand the need to fund these vital organisations and how important they are in focusing the minds of our agricultural communities and our farmers in ensuring their health, safety and wellbeing. It is this government that will focus on rural and regional communities and this government that will support them to have a viable future.

Goods and Services Tax

Senator WANG (Western Australia—Palmer United Party Whip in the Senate) (14:39): My question is to the Minister for Finance, Senator Cormann. This government’s National Commission of Audit, in recommendation No. 9, proposed an equal distribution of GST off the states on a per capita basis. This position is supported by the Premier of Western Australia, Mr Colin Barnett. On 1 May 2014, Mr Barnett said that the main issue for Western Australia was the GST. The commission advocates sharing the revenue raised through the GST on a per capita basis, supplementing smaller states with extra grants, and Mr Barnett said that he supported that recommendation. Will my fellow Western Australian, the Minister for Finance, commit to this recommendation, delivering to Western Australia an extra $3.7 billion per annum?
Senator CORMANN (Western Australia—Minister for Finance) (14:40): I thank Senator Wang and congratulate him on his first question. Senator Wang is, of course, right: the National Commission of Audit made such a recommendation. But, as I am sure Senator Wang would be aware, the coalition went to the last election making a very clear commitment that there would be no changes to the GST under this government—full stop, end of story. If Senator Wang were to consult with his honourable colleague Senator Lambie in relation to the proposition that he has just put to me, I suspect that Senator Lambie, in her capacity as standing up for the good people in the great state of Tasmania, might have a view in relation to these matters that might be slightly at odds with the views that Senator Wang has just expressed.

The truth of the matter is that the GST is a tax which raises revenue which goes to the states. It is true that there are some issues that have been raised from time to time, including by the Premier of Western Australia, Mr Barnett. Mr Barnett is an outstanding Premier for the great state of Western Australia. He does a very good job standing up for the best interests of the people of Western Australia. But, of course, as Minister for Finance in the national government, I have to take responsibility for the country as a whole. In that context, any changes to our tax system would have to flow from a tax review white paper process; it would have to be based on extensive consultation. Whatever changes we might consider as a government in relation to anything related to the tax system that was not part of our pre-election commitments in the lead-up to the last election would have to be taken to the next election in order to get a mandate from the Australian people, including the great people of Western Australia.

Senator WANG (Western Australia—Palmer United Party Whip in the Senate) (14:42): Mr President, I ask a supplementary question. I thank the minister for his answer. I just consulted my fellow senator, Senator Lambie, and we agree that both Western Australia and Tasmania have not been able to receive a fair share of the GST.

Honourable senators interjecting—

The PRESIDENT: Order on both sides! Senator Wang, you have the call. Do not worry about the clock; you can continue.

Senator WANG: Thank you, Mr President. I refer to the equal distribution on a per capita basis. I believe that even with the equal distribution on a per capita basis, the current collection of the GST from Western Australia is still far from fair given the current distribution. We think that even with the distribution recommended by the Commission of Audit, 37c is not enough for Western Australia. Will the minister commit to joining the Western Australian Premier and the Palmer United Party’s stance in distributing a fairer GST to Western Australia?

The PRESIDENT: Before I call the minister, I was very lenient with the time, Senator Wang. The clock wound down whilst there were a lot of interjections. Your question was a little too long and next time I will be more strict.

Senator CORMANN (Western Australia—Minister for Finance) (14:44): Thank you, Mr President, for your indulgence for Senator Wang’s first supplementary. I would like all states to get more GST revenue. I would like all states to get more GST revenue on the back of stronger economic growth. Because if we implement our agenda to build a stronger and more
prosperous economy, there will be more GST revenue and it will be spread across all of the states. If we get rid of the mining tax, if we get rid of the carbon tax, if we invest in productivity enhancing infrastructure, if we cut red tape costs for business by $1 billion a year, if we do all of the things that we said we would do in the lead-up to the last election, we would have stronger growth which would generate a bigger pie. The problem is when you have to cut up a pie and you want to give individual recipients pieces of that pie. At the end of the day, you need to grow the size of the pie if you want to give people more money because, otherwise, it is a zero-sum game.

Senator WANG (Western Australia—Palmer United Party Whip in the Senate) (14:45): Mr President, I ask a further supplementary question. I think that the report I referred to is a very important report which has been hidden away inside many other recommendations made by the commission. I ask again, will the minister ever commit to this recommendation?

Senator CORMANN (Western Australia—Minister for Finance) (14:45): I thank Senator Wang for that question. The report by the National Commission of Audit is publicly available for all to see. I am not quite sure about the suggestion that we have hidden it away. However, the process is, as I have outlined: we said in the lead-up to the last election that there would be no changes to the GST in this term of government. Full stop; end of story. We are, of course, a government that keeps its commitments.

What we have also said is that we would initiate a comprehensive and strategic tax review white paper process in which all of these issues can be ventilated. We have encouraged the state government in Western Australia, as we encourage other state governments, to make submissions to that inquiry and put forward their propositions on how the system can be improved. Whatever decisions we make as a government, we will reflect in the lead-up to the next election as part of our pre-election policies. Hopefully, in good time, the Palmer United Party here in this chamber together with other senators in this chamber will support the genuine reforms that we are putting forward. (Time expired)

Financial Services

Senator BULLOCK (Western Australia) (14:46): Mr President, may I add my voice to that of Senator Reynolds in congratulating you on your election. My question is to the Acting Assistant Treasurer, Senator Cormann. I refer to the coalition of consumer advocacy groups—Choice, Council on the Ageing, National Seniors, who are with us here today in parliament—seeking to support the future of financial advice reforms. I also refer to the comments by the CEO of Choice, Alan Kirkland, who said:

When people receive financial advice that is driven by sales incentives instead of responsibility, they risk losing everything.

Minister, is Choice right?

Senator CORMANN (Western Australia—Minister for Finance) (14:47): I also congratulate Senator Bullock on his first question in this chamber. It is a real privilege that his first question is, indeed, addressed to me. The Western Australians in this chamber are having a very active question time today.

Opposition senators interjecting—

The PRESIDENT: Order on my left!
Senator CORMANN: What I would say in response to Senator Bullock's question is that this government absolutely supports the consumer protections that matter to consumers. What we do not support is the additional unnecessary red tape, which pushes up the cost of advice for consumers and which was imposed on consumers and on small-business financial advisers at the behest of union-dominated industry funds. In all of the submissions to the Ripoll inquiry, which looked at Australian financial products and services, there was only one submission that recommended, for example, this requirement that clients of financial advisers should keep re-signing contracts to their advisers on a regular basis. And guess who that was? Guess who made that recommendation out of more than 400 submissions? It was Industry Super Australia. And guess what? After Industry Super Australia was successful in convincing Minister Shorten to impose that additional bit of red tape, guess what else they negotiated?

Opposition senators interjecting—

The PRESIDENT: Senator Wong! Senator Cameron! Order on my left.

Senator CORMANN: They negotiated a carve-out for themselves from the exact same requirement. Small business financial advisers have to comply with a bit of red tape that was imposed on small business financial advisers at the behest of industry super, and industry super gets themselves a carve-out from that exact same requirement so that they do not have to comply with it. They are providing advice, general and personal advice; they are charging for that advice without disclosing how much they are charging; they are not allowing people to opt out of that advice and they are not required to impose opt-in. What we are saying is cut the red tape that is unnecessary, keep the consumer protections that matter, keep the requirement to act in the best interests of the client, keep the ban on conflicted remuneration—(Time expired)

Senator BULLOCK (Western Australia) (14:49): Mr President, I ask a supplementary question. I refer to comments this morning by Naomi Helpern, one of the victims of the Timbercorp collapse, who said, 'We know of about 300 people who are poised to lose their homes. Many more will go bankrupt and others will be left in crippling lifelong debt. And that is why it is really important that these dilutions to the FoFA reforms are disallowed.' Minister, is Naomi Helpern right?

Senator CORMANN (Western Australia—Minister for Finance) (14:50): I feel for this lady and I feel for any victim of bad financial advice. But guess what? You can impose as much red tape as you like. That is not going to prevent crooks from being crooks. We have to ensure that we have a robust but efficient regulatory system in place. We have to ensure that we have a system where people can have access to high-quality financial advice they can trust and which is affordable. We have to take action whenever things happen that should not happen. We have to make sure that we fix problems as they emerge. Even the toughest bit of red tape is not going to stop somebody bad from doing something bad. That is the big lie that the Labor Party is propagating. They are trying to use the cover of these sorts of events to essentially—(Time expired)

Senator BULLOCK (Western Australia) (14:51): Mr President, I ask a further supplementary question. Given the overwhelming opposition to the government's plans to water down the reforms by consumer groups and victims of financial advisers, does the
minister agree that these regulations have left customers more and not less vulnerable to dodgy financial advice?

Senator CORMANN (Western Australia—Minister for Finance) (14:51): No, Senator Bullock, I do not agree with that. The government is keeping all of the consumer protections that matter. After things like the Storm Financial collapse, after some of the events that Senator Bullock is talking about, there was actually a bipartisan inquiry which was chaired by Mr Ripoll—a good man and now the shadow minister for financial services, but a good man nevertheless. It was a bipartisan committee with a bipartisan set of recommendations. We supported all of the recommendations that came out of that inquiry. But Mr Shorten, as the Minister for Financial Services in the last Labor government, thought that he should go a couple of steps further. He thought that he should go further than what was recommended by the Ripoll Inquiry because he was being pushed into doing so by the vested interests of industry super funds. This has got nothing to do with trying to prevent further victims of bad financial advice. We are keeping the improvements that matter. We are keeping the requirement to act in the best interests of clients. We are keeping the ban on conflicted remunerations. What we are getting rid of is all the bad red tape which does not make a difference. (Time expired)

Higher Education

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:52): My question is to the Minister for Human Services, Senator Payne, representing the Minister for Education. Can the minister provide details of the benefits of the government's proposed higher education reforms on regional universities?

Senator PAYNE (New South Wales—Minister for Human Services) (14:53): I thank Senator Ruston for her continuing interest in this particular area of education policy. It is absolutely true to say that regional Australia is indeed among the big winners from the government's higher education reform package. You need only listen to some of the words of the leadership in the sector. For example, the Vice-Chancellor of the Central Queensland University, Professor Scott Bowman, said: 'We're seeing lots of potential in these changes. We're licking our lips.' CQ University is particularly enthusiastic about the potential it sees—

Opposition senators interjecting—

The PRESIDENT: Order! Pause the clock. Minister Payne.

Senator PAYNE: I am not sure why those opposite would seek to denigrate Professor Bowman, but that is a matter for them—thank you, Senator Lines. As I have mentioned in the chamber previously, the support for an uncapped number of diplomas, advanced diplomas and associate degrees creates a really great opportunity for regional students and for their universities. The Regional Universities Network has said: 'The provision of demand-driven places to non-university providers could build on the significant partnerships or dual arrangements that already exist between regional TAFEs and regional universities.' The recent Vice-Chancellor of the University of New England, in my home state of New South Wales, Professor Barber, and others, have pointed to the way deregulation of the system will create great opportunities for regional universities to position themselves so much more effectively. They are able to say to students: 'Come and do a high-quality degree with us, with higher student satisfaction, good employment outcomes and a high quality of life, that is good value.
for money.' Professor Barber, with others, has pointed out that regional and other universities will be able to position themselves much more effectively in online education as well. Distance education is also very important to many of our regional universities, and deregulating that— (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:55): Mr President, I ask a supplementary question. I would like the minister to outline the benefits that the government's proposed higher education reforms will have for students in regional Australia.

Senator PAYNE (New South Wales—Minister for Human Services) (14:55): The Regional Universities Network has said: 'More options for higher education study, including sub-bachelor pathways, would be available to regional Australians, including low-SES students.' As our universities are freer to compete with each other to attract students, competition will lead to better deals for students—on the range of courses offered; on modes of teaching, which include both on campus and online; on quality of teaching and other student support; and on value for money. In fact, the Vice-Chancellor of the University of Wollongong, again in my own state, well known to Senator Fierravanti-Wells, Professor Paul Wellings, spoke of the reforms' potential to increase the competitiveness of the sector while maintaining our ability to offer university education free at the point of delivery to all students irrespective of their circumstances. (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:56): Mr President, I ask a further supplementary question. Further to the minister's answer to my first question, could the minister advise what other benefits for regional students will flow from the proposed higher education reforms?

Senator PAYNE (New South Wales—Minister for Human Services) (14:57): I thank Senator Ruston for her question. Whether it is CQ University, the University of New England or the University of Wollongong, all of their leadership are talking about the benefits to regional and other students that are going to flow from these initiatives. The Regional Universities Network, the leadership group in this area, has said: 'The network welcomes the announcement in the budget of an ambitious target of reform for higher education which recognises the importance of the sector to Australia. The Treasurer and the minister are to be congratulated for highlighting the important role universities play in Australia's future.' That is what is important to us. We have also supported the Commonwealth Scholarships program which will provide major support with living costs for regional students—often a real barrier to their engagement and involvement. The quality indicators for teaching and for learning and the student and employer surveys, which are part of this balanced package, will help regional universities sell themselves. The regional students and the universities are going to benefit from our support in a number of other ways, including research. (Time expired)

Workplace Relations

Senator CAMERON (New South Wales) (14:58): My question is to the Minister for Employment, Senator Abetz. I refer to advice from the Office of Best Practice Regulation which states that, following the revocation of Commonwealth cleaning services guidelines, 'cleaning workers on certain government contracts are likely to experience a reduction in wages at the end of their current contract'. Can the minister confirm that this advice from the Office of Best Practice Regulation is correct?
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:58): As everybody in this place knows, when an employment agreement terminates, be it an enterprise bargaining agreement or a modern award, it is up for renegotiation. In those circumstances, as I think I said yesterday, you have the hypothetical position where wages could go down if the workers voted for it in enterprise agreement negotiations or the Fair Work Commission were to so determine. That is hypothetically possible. Is it practicable, is it likely to occur? Absolutely not, in my experience. Therefore, when the Office of Best Practice Regulation actually says individual employees undertaking work under the guidelines may receive lower remuneration when their current arrangements expire, they are dealing with the hypothetical that it may happen. My view is and my money is on it not happening.

Senator CAMERON (New South Wales) (15:00): Mr President, I ask a supplementary question. How many cleaners are engaged under contracts subject to the now revoked Commonwealth Cleaning Services Guidelines 2012? When do these contracts expire and how many Commonwealth cleaners will be vulnerable to a pay cut when contracts are renewed?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:00): Once again, we have a proposition being put by the Australian Labor Party that government ministers should be determining the rate of pay. If the Labor Party did it for cleaners, why not for security guards, why not for the maintenance outside and why not for the Senate clerks? The answer is—

The PRESIDENT: Pause the clock.

Senator Cameron: Mr President, I rise on a point of order: on relevance. I have asked a clear question: how many cleaners are engaged under the contracts? When do the contracts expire? And how many will be vulnerable?

The PRESIDENT: You might have jumped a little prematurely. Senator Abetz, I detected, was getting to that exact point and he has just over half of his time left to answer the question.

Senator ABETZ: Thank you, Mr President. In relation to vulnerability, the question is: should the parliament and a minister by fiat determine what the rate of pay ought to be? Or should it be determined by the vote of workers or, in the event it cannot be resolved, by the Fair Work Commission? We believe the independent umpire should make the decision. I believe about a couple of dozen contracts are affected by Clean Start, noting that over 60 contracts already had the higher rates of pay anyway. (Time expired)

Senator CAMERON (New South Wales) (15:02): Mr President, I ask a further supplementary question. Why is the government exposing some of the country's lowest paid workers to pay cuts of $5 an hour, while at the same time spending over $21,000 on new curtains and cushions for the PM's dining room?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:02): Once again, Senator Cameron's question has in it a complete and utter vote of no confidence in both the workers negotiating their own arrangements under an enterprise bargaining agreement and the
Fair Work Commission. It is the Fair Work Commission that determines the minimum rate of pay.

Senator Lines interjecting—

Senator ABETZ: And if Senator Lines wants the parliament to make that ruling rather than the Fair Work Commission, let her campaign on that. But we will be going to the Australian people with a consistent message that we believe that minimum standards should be determined by the Fair Work Commission in the event that workers cannot sort out these things by negotiation with their employers. So the Labor Party, in a little stunt for the Australian Services Union, have created a precedent that is very dangerous for workplace relations in this country. *(Time expired)*


The DEPUTY PRESIDENT: Is leave granted?

Senator CAMERON: The document is a government document. It is the draft regulation impact statement, Fair Work principles and the Commonwealth Cleaning Service Guidelines revocation, which quite clearly indicates that government contracts are likely to—

The DEPUTY PRESIDENT: Senator Cameron, resume your seat. It is fair enough for you to describe what the document is without going into further detail on that matter. You have sought leave. I will put the question again: is leave granted for Senator Cameron to table that document?

Senator Abetz: Not until we have seen it.

The DEPUTY PRESIDENT: Leave is not granted, but you are invited, I understand from that response, to seek leave again at a future time.

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Indigenous Legal Services

Senator PERIS (Northern Territory) (15:05): I move:

That the Senate take note of the answer given by the Attorney General (Senator Brandis) to a question without notice asked by Senator Peris today relating to the North Australian Aboriginal Justice Agency.

I rise to take note of answers to questions today in relation to the $1 million cut in federal funding to the North Australian Aboriginal Justice Agency, NAAJA, which has forced the closure of its office in East Arnhem Land.

Last Wednesday in this house, the Minister for Indigenous Affairs again repeated his false claim that no Indigenous front-line services would be affected by his government's cuts to Indigenous Affairs. At the very same time, NAAJA were announcing that their office in East Arnhem Land was closing. The NAAJA office in East Arnhem Land is clearly front-line. It has been providing front-line services for over 20 years. I want to read the announcement made by NAAJA CEO Priscilla Collins last week:

The NAAJA Board has very reluctantly decided to close our Nhulunbuy office from the end of this year, given the deep funding cuts that have been announced to Aboriginal Legal Services. This was a very difficult decision and a sad one for our service.
You might be aware that in the May budget, the Commonwealth government confirmed that $6 million is to be cut from Aboriginal Legal Services for the 2015-16 financial year. Based on current funding allocations, the cuts announced to Aboriginal Legal Services could see close to $1 million cut from NAAJA’s core annual funding as from the next financial year.

We are also very concerned that more cuts to NAAJA programs, funded outside our core operational contract, may be on the horizon. Given the chronic underfunding of services like NAAJA, funding cuts directly impact on our ability to provide front-line services. We have had to act now to plan for how we can best provide services to our clients in the future.

After almost 20 years of having an office in Nhulunbuy we are very disappointed to have to make this decision. I take this opportunity to acknowledge the work of NAAJA staff, past and present, who have worked hard in our Nhulunbuy office and fought for true justice, dignity and respect for Aboriginal people in the East Arnhem Land region.

That is a very clear statement from NAAJA CEO Priscilla Collins that the office closure is a direct result of the Abbott government’s funding cuts—funding cuts that they continue to insist, despite the fact that it is blatantly incorrect, will not impact on front-line services.

The Attorney-General defended his budget cuts as a budget measure. We already know that, when government ministers have no justification for their actions, they simply resort to this repeated excuse. But let me state clearly: this funding cut will cost the government more money. It will cost taxpayers money. The services provided by the East Arnhem Land office are proven to reduce crime and reduce reoffending. The independent Parole Board of the Northern Territory has pointed to the programs that NAAJA provide as reducing reoffending. There are countless other studies and reports that prove that programs like this reduce reoffending. The NAAJA office in East Arnhem Land keeps people out of our prison system, and keeping someone out of prison costs so much less than keeping someone in prison. It costs around $100,000 a year to keep someone in prison. So this decision by the Abbott government will end up costing taxpayers far more than it saves.

In his answers, the Attorney-General said that, when he visits East Arnhem Land for the Garma festival next month, he will try and fit in a meeting if his diary permits. What could possibly be more important in a trip to East Arnhem Land than to visit a front-line service that is closing as a direct result of his own funding cuts? NAAJA already have written to the Attorney General—just last week—requesting a meeting and asking him to see firsthand the services that they provide. I urge him in the strongest possible terms to take up the offer and visit the office he is forcing to close. The Prime Minister is also visiting Arnhem Land, for a week in September. He claims to be the Prime Minister for Aboriginal Australians. He has a week there. Will he find the time to visit a front-line service to Aboriginal Australians that his government is closing?

**Senator O'Neill:** Are there any left?

**Senator PERIS:** Maybe not. Aboriginal people are 15 times more likely to end up in prison, as I mentioned before. Will the Prime Minister for Aboriginal people visit a service that is trying to address this appalling situation? I strongly urge the Prime Minister and the Attorney-General to visit the office and reverse their decision to force its closure, by restoring the $1 million that they have cut.
Senator BIRMINGHAM (South Australia—Parliamentary Secretary to the Minister for the Environment) (15:09): Mr Deputy President, this being the first occasion for me to do so, I congratulate you on your appointment to the office of Deputy President.

I think we heard in question time today some thoughtful responses from Senator Brandis in relation to some important issues that Senator Peris raised in her question and in her contribution to the debate just then. These are absolutely important matters. As Senator Brandis acknowledged in response to Senator Peris's questions, it is absolutely a tragic fact in Australia that Indigenous incarceration rates are far, far too high. They are far too high particularly when considered relative to the levels of incarceration for the overall Australian population. This is a terrible problem that our country faces. It is a problem that is but one element of many different elements of Indigenous disadvantage that Australia has, and it is a problem that our government is completely up-front about acknowledging. We acknowledge that it is a policy priority of Prime Minister Abbott and of this entire government to make sure that we do whatever we possibly can to address the overall mix of issues in relation to Indigenous disadvantage.

We are seeing in this government—from the Prime Minister, Minister Scullion, Parliamentary Secretary Tudge and across the entire government—a commitment to address, at its basic level, any area we can to assist and further the cause of Indigenous development in this country, starting, most importantly, with getting children to school. We have heard some great and positive stories from Minister Scullion in this chamber previously, where he has identified that some of the measures with very active and intensive intervention programs are making a meaningful difference in getting more young Indigenous children to school, getting higher rates of school attendance. We know that, from that, we can ultimately, hopefully, get better economic outcomes for those young people and for those Indigenous communities. But there are no magic bullets. Previous governments have tried. Previous governments of all political persuasions have tried different policies, and sadly we still face levels of Indigenous disadvantage and Indigenous incarceration today that are unacceptably high. We have to work through what will be long-term policies and long-term strategies to effect change. Although our government has an absolutely rock-solid policy commitment to try to tackle these issues, it does not mean that this policy area is completely exempt from opportunities to seek efficiencies, opportunities for us to try to find ways to drive the budget further.

What was telling when Senator Brandis gave his answers to Senator Peris's questions was the reactions from some of those opposite, who mock the notion that there is any debt problem in Australia, who seem to think—it is a complete furphy—that we can live with limitless expenditure and limitless debt and that it will have absolutely no consequence into the future. Well, it does have consequences into the future. Already as a nation and a government we are paying around $1 billion a month just to service existing levels of government debt. If that government debt continues to grow, then of course the level of interest that future governments will pay will continue to grow.

As Senator Cormann rightly highlighted during question time today, we will ultimately reach a point where the types of budget decisions that a future government may have to take will be far harsher, far more severe and have far greater consequences for Australians if we do not take action now. We have a choice as a country and we have a choice as a parliament. We can take action now to rein in the level of deficits to bring debt under control—and that action
is relatively careful and relatively modest and has limited consequences—or we can do nothing, as the Labor Party seem to propose, and a future generation will have to pick up the problem, with a greater level of debt, enormous interest payments and huge consequences that they will face in the future. Taking action now means that there are sometimes difficult decisions that have to be taken, across every portfolio, but, be under no illusion, Mr Deputy President, Senator Peris and others; this government wants to address the issues of Indigenous disadvantage, and we will do so as effectively as the resources allow. (Time expired)

Senator LUDWIG (Queensland) (15:14): Mr Deputy President, I also congratulate you on your elevation. Now we have found the truth. Senator Birmingham has belled the cat: they would like to do something and they wring their hands about it but, ultimately, they are going to sit on their hands and do nothing. This is a $500 million cut to Indigenous affairs, and the impact of these cuts on front-line services is now clear for all to see. The defence, sterling as it was from Senator Birmingham, showed that the truth is that they do not want to do anything. They will ply it with platitudes but ultimately they do not want to address it. This requires a commitment of funding, not just platitudes.

Of course, Senator Brandis's answer was, 'There is a budget emergency.' Yes, there was mocking laughter in this chamber—because there is not a budget emergency. In Senate estimates we asked Senator Brandis to reiterate his promise made in the Sydney Morning Herald that his cuts would not impact Indigenous legal aid. His department responded: 'This is a matter to be considered within the budget context.' It seems that promises must be considered in a budget context as well. The first victim of the phoney budget emergency is the promise Senator Brandis made before the election. The Abbott government's budget of broken promises ripped more than $500 million from Indigenous programs but said, critically, that these cuts would not affect services on the ground. Quite frankly, that was a cruel joke.

This stands in stark contrast to Labor's approach. In Labor's 2013-14 budget we put in an additional $118.2 million to improve access to justice for Australians. This included additional funding of $12 million for Aboriginal and Torres Strait Islander legal services and $10 million for community legal centres. We recognised that this is an issue that you have to address. You do not close the gap overnight but you do have to start on the road to closing the gap. Cutting front-line services is not the first step in the right direction.

In contrast, let us look at the coalition's budget. It says that they have already cut $41 million from Indigenous projects since they have come to office. That is, by my reckoning, about $133,000 a day less that they are spending each and every day on Indigenous legal services. But it gets worse. The budget says there will be a cut of $163 million this financial year. That is almost half a million dollars a day that is not going to be contributed to assisting Indigenous legal aid. Yet the cuts are not over—a further $331 million will be taken out until 2018. So that is $500 million dollars taken out of Indigenous programs.

And what do those opposite say about these cuts? Senator Scullion—in his not so sterling defence—on Sky, when asked about whether there would any impact on front-line services from the $500 million in cuts, said: 'Absolutely not. I mean, you won't see an impact on the ground.' They are taking $440,000 a day and they are still pretending that this will not be a front-line services cut.

Well, the jig is up. The cuts are having an effect on the front line. The first front-line cut I will raise is the cut described in the question to today. The $1 million cut to the North
Australian Aboriginal Justice Agency has resulted in a big cut to front-line services. They are closing their East Arnhem office in January. No clearer could the impact be on front-line services for Indigenous people in East Arnhem. For more than 20 years the East Arnhem Land office has provided front-line high-quality services to Indigenous people dealing with legal advocacy, and now, after 20 years, Aboriginal people in the region are faced with the closure of this service.

The response by this government continues to be this tired refrain of 'there is a budget emergency,' but when they need to find money they find it and spent it. I suspect the truth is that they do not want to spend it in this area. They would rather spend it by giving it to the Reserve Bank— (Time expired)

Senator EDWARDS (South Australia) (15:19): I too rise to take note of answers given by Senator Brandis. I acknowledge that this is a difficult area and it is a highly emotive area of what happens in our country and government policy and public policy and how it is formed. There are a number of things which related to Senator Peris's question to Senator Brandis. Firstly—and I will revisit this—was the budget issue; and, secondly, the fact that there is a willingness on the part of this government, which was expressed by Senator Brandis.

He had allocated to the legal services $290,000 extra in the budget to cope with the needs that Senator Peris was talking of. And, not only that, there was a one-off $600,000 front-line legal service payment made to that area. This is hardly the abandonment that Senator Ludwig talked about in his contribution a moment ago. He asserted that we sit on our hands on front-line services. I hardly think a $600,000 one-off payment is sitting on our hands. He also said that we did not want to address this area. Well, we are addressing it through the Prime Minister's office. The Prime Minister has taken responsibility of this area.

When Senator Peris puts forward figures that we are all aware of in this chamber, such as it is 15 times more likely that an Aboriginal or an Indigenous person will be incarcerated than someone from the mainstream community, we know that there is a problem. The Prime Minister, Senator Brandis, Treasurer Joe Hockey and the finance minister are working to get the budget back on track so that we have the resources to address these social injustices—things which senators from all sides of the chamber want to address. So, despite the feigned outrage from across the chamber, saying that this area had been abandoned is absolute nonsense.

In fact, we are taking a methodical approach to the way in which we deal with Indigenous peoples in this country and the way in which money and resources are allocated—so much so, that the chair of the Prime Minister's Indigenous Advisory Council has suggested that there may be some ability to save money from parts of the budget allocated to the outcomes of Indigenous people in this country so that that money could be reallocated, so that, in the longer term, the benefits of the budget moneys allocated can go to places where it will give, in the long run, more beneficial social outcomes for our Indigenous populations. The suggestion from the chair of the Prime Minister's Indigenous Advisory Council is that: 'Once you are getting every Aboriginal kid to school, then obviously we are going to need more resources.' So that is a priority. We have to get Indigenous children educated and out of the communities where they will not have any job prospects. That is the greatest challenge that we have: to lift these children from their no-prospect environments into environments where they do have prospects to make a contribution.
Of those savings, those resources, that we are looking to reallocate in the Indigenous area, there will be a re-investment. We believe that there are inefficiencies in the current system which have been caught up in the politics of the system.

Also, in Senator Brandis's answer to Senator Peris, he expressed a willingness to meet with the Indigenous communities of eastern Arnhem Land when he is up there in the short term. I think all of those people in those committees should take up Senator Brandis, the Attorney-General of this country, on his offer to come and visit them and hear what he has to say about his ideas on enhancing their prospects for a greater contribution and a more meaningful life without the threat of incarceration.

The DEPUTY PRESIDENT: Thank you. Senator Collins?

Senator JACINTA COLLINS (Victoria) (15:24): Thank you, Mr Deputy President Marshall, and congratulations. I, too, rise to take note on the same matter. We can take no confidence from the answer provided by Senator Brandis to Senator Peris's question today. Indeed, it highlights that we can take no confidence from Senator Scullion's promise that front-line services would not be affected. In fact, you can read into Senator Brandis's answer that he, too, cannot assure that. He may agree to meet with people from—to take one example that Senator Peris raised today—NAAJA on the east Arnhem Land office closure, but let us put that into context.

The context here is the $1 million concerned—a component of the $13.4 million net loss in Indigenous legal services. Senator Brandis might refer to one-off payments, as highlighted by Senator Edwards, of $600,000, but, in the context—

Senator Edwards: Two legal services.

Senator JACINTA COLLINS: Or even two legal services—another $296,000. But, in the context of the overall $13.4 million net loss for Indigenous legal services, I think the point is clearly made. Indeed, this cut is a short-term, narrow-minded cut to Indigenous services, not a long-term methodical approach to improving service delivery for Indigenous Australians.

What is perhaps more galling about this particular case—quite aside from, as Senator Peris highlighted, the cuts of half-a-billion dollars in Indigenous affairs—is the press release by Ministers Scullion and Brandis, just ahead of question time, talking about the unity that had been achieved in relation to constitutional recognition and how important this unity is. Well, we know what 'unity' there was before the election in a range of areas. We know that this government made promises that it had no intention of keeping—promises in education, which will impact direly on Indigenous education; promises in health that, again, will impact significantly on disadvantaged communities across Australia; promises around the ABC, which we heard of also in question time. But there was also this strongly implied unity of purpose around Indigenous affairs.

Moreover, the Prime Minister takes Indigenous affairs into the Prime Minister's department and continues to pursue the constitutional recognition agenda but then cuts half-a-billion dollars from Indigenous affairs, with no methodical plan—no plan at all. All we have in this chamber is Senator Scullion's commitment that front-line services will not be affected, and what we see from Senator Peris's one area, one issue, today, is that the $1 million cut to NAAJA is leading to the closure of the east Arnhem Land office in January. This service has
existed for 20 years, as highlighted by Senator Ludwig, and the impact will be significant. We are not only talking about the incarceration rates of Indigenous people more generally, as Senator Peris highlighted. Let us look at Aboriginal and Torres Strait Islander children, for example. They are 25 times more likely to be incarcerated, and they will be impacted on significantly by a loss of representation. These are short-term cuts that will have long-term pain. There is no methodical plan. These are thoughtless cuts. And the minister was unable, through countless questions in this area, to highlight what plan there is.

The government likes to say that this is one area that cannot be excluded from achieving efficiencies. Well, if we heard arguments about efficiencies we might accept them, but there are no justifications for these cuts and no future plan to provide more efficient services for Indigenous Australians.

Senator Birmingham, in his response in this debate, referred to the mocking that occurred in relation to Senator Brandis's reference to the budget emergency. I have to close by saying: I did not expect him to deteriorate further than Senator Nash on— (Time expired)

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:30): I rise to take note of the same answer. I am extremely distressed to hear of the closure of the office of NAAJA. I have spoken to NAAJA many times. They do excellent work. They have presented to the community affairs committee on various inquiries on a number of occasions. They provide vital and excellent services to Aboriginal people in the Northern Territory.

When I asked about the removal of legal aid funding in estimates, I was told that it would have no impact on front-line services. That was clearly absolute nonsense, because it clearly is having impacts on front-line services. When I asked the social justice commissioner, Mr Mick Gooda, about what impact cutting support for Aboriginal legal services would have—not just areas around policy and not just the cutting of advocacy funds—he very clearly said in estimates that this would have a direct impact on Aboriginal and Torres Strait Islander peoples and that it would have a direct impact on the incarceration rates of Aboriginal and Torres Strait Islander people. We are not going to close the gap if we continue to take funding out of supports for Aboriginal and Torres Strait Islander peoples.

Just 10 minutes ago, the issue Mr Mundine is talking about was raised: a further $600 million worth of cuts. That is over half a billion dollars' worth of cuts to funding for Aboriginal and Torres Strait Islander peoples. That is not simply efficiency programs. We asked in estimates where this funding was coming from. The department and the minister could not tell us where that funding was coming from. They have not done a systematic review of funding for Aboriginal and Torres Strait Islander peoples. What they have done is just take an efficiency dividend. So they cannot stand there and say, 'this is about delivering more efficient and better services for Aboriginal and Torres Strait Islander peoples', because that simply is not true. They have taken a razor to that funding.

And they are not satisfied with the $534 million that they are taking out of Aboriginal and Torres Strait Islander funding. Previously the government has sort of denied any ownership of these particular suggestions for cuts. But here we have Senator Edwards quite proudly suggesting another $600 million worth of cuts to funding supports for Aboriginal and Torres Strait Islander peoples.
We know that we are not anywhere close to closing the gap. Yes, we have had improvements on certain indicators, which is absolutely fantastic. But we saw the latest COAG reform report and it clearly said that, if we do not step up activity, we are not going to meet the closing the gap commitments for the time frame we have in place, which is 2030. We are not on track to meet our closing the gap commitments.

This government has dramatically cut funding to Aboriginal and Torres Strait Islander peoples. You also need to bear in mind that those cuts are on top of the disproportionate impact that the budget will have on Aboriginal and Torres Strait Islander peoples. For example the cuts to income support are disproportionately going to impact Aboriginal and Torres Strait Islander peoples. The cuts to the disability support pension will disproportionately impact Aboriginal and Torres Strait Islander peoples.

Senator Peris asked very important questions in this chamber and, of course, did not receive satisfactory answers. What is going to happen to the people that were previously represented and supported by NAAJA? NAAJA has provided invaluable services and not just to people in Arnhem Land; they do a lot of other work. This is not just about the impacts on that particular office; it will impact their work throughout the Northern Territory. It is an organisation that provides ongoing support for many Aboriginal people who have nowhere else to go for that level of support. It puts paid to the complete furphy that this government put around that their cuts would not have any impact on front-line services. Clearly it is having an impact. Clearly it will have significant long-term impacts.

Question agreed to.

**Workplace Relations**

Senator CAMERON (New South Wales) (15:35): I have had some brief discussions with the government in relation to the document I sought to table during question time today, the draft regulation impact statement, *Fair Work principles and the Commonwealth cleaning service guidelines revocation*. I think there is agreement that the document will be tabled. I therefore seek leave to table the document.

Leave granted.

Senator CAMERON: Thank you. I table the document and I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator CAMERON: Thank you. This document is the draft regulation impact statement. It clearly says, in attachment A, that 'cleaning workers on certain government contracts are likely to experience a reduction in wages at the end of their current contracts'. I think this is clearly the position the government is trying to achieve; a reduction in the pay rates of some of the poorest workers in this country, the cleaners in this parliament.

There is also what is on the website. On the website it says, 'the revocation of the principles and guidelines is expected to reduce compliance costs for firms tendering and providing goods'; and 'the reduction in costs is estimated to be in the order of $5 million per year'. It goes on to say that workers may receive 'lower remuneration when their current employment agreements expire'. This is clearly cost cutting by the government at the expense of some of the poorest workers in the country, and it is reprehensible. *(Time expired)*
PETITIONS

The Clerk: Petitions have been lodged for presentation as follows:

Farm Debt Crisis
To the Honourable President and Members of the Senate in Parliament assembled:
The petition of the undersigned shows
• The need to support rural communities by addressing the farm debt crisis.
Your petitioners ask that the Senate:
• Note the need to support rural communities by arresting escalating levels of farm debt.
• Support legislation establishing an Australian Reconstruction and Development Board.
by Senator Nash (from 112 citizens).

Repeal the Carbon tax
To the Honourable President and Members of the Senate in Parliament assembled:
The petition of the undersigned shows:
• The need to repeal the Carbon Tax to alleviate its impact on the cost of living
Your petitioners ask that the Senate:
• Note the mandate given to the Federal Government by the Australian People to repeal the Carbon Tax.
• Note with grave concern the refusal of some members of the Senate to pass the Government’s legislation repealing the Carbon Tax
• Heed the wishes of the Australian People and repeal this unpopular tax.
by Senator Nash (from 222 citizens).

NOTICES

Presentation

Senator Sterle to move:
That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on its inquiry into the implications of the restrictions on the use of Fenthion on Australia’s horticultural industry be extended to 25 July 2014.

Senator Hanson-Young to move:
That the Senate—
(a) expresses its concern for the asylum seeker children who are currently missing in South Australia;
(b) notes that the Minister for Immigration and Border Protection is the legal guardian of these unaccompanied minors; and
(c) urges the Government to act in their best interest and ensure their safety.

Senator Hanson-Young to move:
That the Migration Amendment (Repeal of Certain Visa Classes) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 65 and made under the Migration Act 1958, be disallowed [F2014L00622].


Senator Bernardi to move:

That the Senate orders the Select Committee on the National Broadband Network to cease to exist on Thursday, 17 July 2014.

Senator Bernardi to move:

That—

(1) A Joint Select Committee on the National Broadband Network be established to inquire into the National Broadband Network, examine and report on the rollout, end user take-up and NBN Co’s financial and operational performance.

(2) The committee consist of 9 members, 3 members of the House of Representatives to be nominated by the Government Whip or Whips, 2 members of the House of Representatives to be nominated by the Opposition Whip or Whips, 2 senators to be nominated by the Leader of the Government in the Senate, 1 senator to be nominated by the Leader of the Opposition in the Senate, and 1 senator to be nominated by minor party or independent senators.

(3) Every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(4) The committee shall elect a government member as its chair.

(5) The committee shall elect a non-government member as its deputy chair.

(6) The deputy chair shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(7) In the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) Three members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include one government member of either House and one non-government member of either House.

(9) The committee shall have power to send for persons and documents, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives.

(10) The committee have power to adjourn from time to time and to sit during any adjournment of the House of Representatives and the Senate.

(11) The committee may report from time to time its proceedings and evidence and any recommendations, and that it present its final report by no later than 30 June 2016.

(12) The committee have access to relevant records and evidence of the current Senate Select Committee on the National Broadband Network.

Senator Waters to move:

That the Senate—

(a) notes the litany of sexist, misogynistic, and racist slogans which have been used by Wicked Campers on their hire vans, including:

'In every princess, there's a little slut who wants to try it just once',

'Fat chicks are harder to kidnap',

'Save a whale...harpoon a Jap',

'Women are like banks—once you withdraw you lose interest', and

'A wife: an attachment you screw on the bed to get the housework done'; and
(b) condemns the use of such slogans and calls on Wicked Campers to remove slogans which are sexist, misogynistic, or racist from their vans.

**Senators Rhiannon and Xenophon** to move:
That the Senate—
(a) notes:
   (i) water is one of our most important resources,
   (ii) the National Water Commission (the Commission) plays a crucial role in monitoring, auditing and assessing water policy,
   (iii) the independence of the Commission is vital to its effectiveness, and
   (iv) the 2011 Council of Australian Governments review of the Commission stated that it should continue 'for the lifetime of the NWI' and 'without sunset provision until the NWI is substantially replaced'; and
(b) calls on the Government to reverse its position on the closure of the Commission.

**Attorney-General (Senator Brandis)** to move:
That the following bill be introduced: A Bill for an Act to amend the law relating to national security and intelligence services, and for related purposes. National Security Legislation Amendment Bill (No. 1) 2014.

**Postponement**

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Hanson Young for 16 July 2014, proposing the disallowance of the Migration Amendment (2014 Measures No. 1) Regulation 2014, postponed till three sitting days after today.

General business notice of motion no. 344 standing in the name of Senator Madigan for today, relating to China and Falun Gong practitioners, postponed till 16 July 2014.

**Senator McKENZIE** (Victoria) (15:37): by leave—I move:
That general business notice of motion no. 346 standing in her name for today, relating to higher education in regional Australia, be postponed till the next day of sitting.
Question agreed to.

**COMMITTEES**

**Education and Employment References Committee**

**Reporting Date**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (15:37): by leave—I move:
That the time for the presentation of reports of the Education and Employment References Committee on the delivery of quality and affordable early childhood education and care services, and on the immediate future of the childcare sector in Australia be extended to 16 July 2014.
Question agreed to.

**Procedure Committee**

**Report**

**Senator MARSHALL** (Victoria—Deputy President of the Senate and Chair of Committees) (15:38): I present the second report of 2014 of the Procedure Committee.
Ordered that the report be printed.

Senator MARSHALL: by leave—I move:

That the Senate take note of the report.

This report by the Procedure Committee proposes a number of suggested reforms to streamline some procedures and enhance the rights of senators to speak on adjournment debates and at lunchtime on Wednesdays, which the committee proposes be renamed as Senators’ Statements. The committee is still considering the overall shape of the routine of business but in the meantime presents these ideas for discussion amongst senators, with a view to the Senate adopting them as temporary orders later in the year. I commend the report to the Senate.

Senator FAULKNER (New South Wales) (15:39): I too want to speak, but briefly, on the Procedure Committee report. This report does in fact represent a work in progress for the Procedure Committee. The Procedure Committee began the task of reviewing the Senate’s routine of business in the last parliament. It has met on numerous occasions to examine and engage on that issue, but now, for the first time, the Procedure Committee put some substance on its proposals for reform in the Senate. I join with the Deputy President in commending this report. I acknowledge, as I am sure you would, Mr President, that its progress has been best described as slow in this regard. I also think it is important to acknowledge that the elements that are discussed in this report are, if you like, the low-hanging fruit. But, nevertheless, if they are adopted, it will mean some genuine reform to our routine of business, some improvement and some rationalisation, and that would be a good thing.

Effectively it covers six areas, firstly in relation to documents. This report proposes a half-hour period for debate on all documents other than committee reports on Mondays, Tuesdays and Wednesdays, and for those documents not dealt with on those days—if you like, documents that are rolled over—there would be debate for an hour on Thursdays. In relation to documents, time would be limited to five minutes per speaker per document. Secondly, the Procedure Committee reports on committee reports and provides an opportunity on Tuesdays, Wednesdays and Thursdays for 60 minutes, and then there is a revisiting of reports that are, if you like, rolled over, for another hour on Thursday evenings. In this case, the Procedure Committee is recommending a 10-minute speaking period for a speaker on an individual committee report.

Thirdly, the committee proposes streamlined procedures for determining postponement of business, committee meetings and hearings during sessions, and extension of time for committees. These matters, the committee suggests, could be reported by the Clerk and formally agreed unless, by exception, any senator were to dissent. In that case, such a matter would be decided by the Senate. This works well at the moment and the proposal of the Procedure Committee is to extend it into those additional areas. Fourthly, the committee recommends that the opportunity to debate a matter of public importance or an urgency motion on Thursdays would be removed.

Fifthly, the committee recommends that the open ended adjournment which takes place in the Senate on Tuesday night occur on Thursday. But in doing that, the committee also proposes that the Tuesday adjournment debate occur for a maximum time of two hours and 10 minutes, concluding no later than 9.30 pm, as it currently occurs on the open ended Tuesday evening adjournment debate with a series of five-minute speeches, followed by a series of 10-
minute speeches within that time frame. As I have indicated, the committee proposes the open-ended adjournment debate now for Thursday night.

The sixth and final recommendation of the Procedures Committee is basically a change of nomenclature. There has always been a little concern that we currently have an opportunity for a matter of public importance, an MPI, effectively on each Senate sitting day. We have an opportunity for matters of public interest, between 12.45 pm and 2 pm on a Wednesday. It is also called an MPI. So we have got two different types of MPIs and the Procedure Committee in a very radical move has decided to rename one of those MPIs. The loser, as you know, Mr President, is 'matters of public interest'. The 'matter of public importance' has survived and the committee, after a furious debate, recommends that matters of public interest on the Wednesday be renamed to 'Senators Statements'. I am not going to bore the Senate. Because these matters are private to the committee's discussion, I would not have in the public arena about some of the suggestions that were proposed by senators at the Procedure Committee. But it is a sensible idea to change the MPI 'matters of public interest' on a Wednesday to Senators Statements.

I commend these reforms. They are modest. I want to see the routine of business far more significantly reformed than that, but it is a start. I would commend the report to the Senate. I hope these reforms are quickly dealt with in the next session because while it is slow progress and they are small reforms, they are nevertheless substantive, important and will assist the routine of business in the Senate.

The PRESIDENT: The question is the motion moved by Deputy President Senator Marshall be agreed to.

Question agreed to.

COMMITTEES

Finance and Public Administration Legislation Committee

Meeting

Senator BUSHBY (Tasmania—Government Whip in the Senate) (15:48): At the request of Senator Bernardi, I move:

That the Finance and Public Administration Legislation Committee be authorised to hold a private briefing during the sitting of the Senate on Wednesday, 27 August 2014, from 3.30 pm.

Question agreed to.

Foreign Affairs, Defence and Trade Joint Committee

Reporting Date

Senator BUSHBY: At the request of Senator Gallacher, I move:

That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on its inquiry into illegal fishing be extended to 29 October 2014.

Question agreed to.

Economics Legislation Committee

Reporting Date

Senator BUSHBY: At the request of Senator Edwards, I move:
That the time for the presentation of reports of the Economics Legislation Committee be extended, as follows:
(a) Competition and Consumer Amendment (Misuse of Market Power) Bill 2014—to 4 December 2014; and
(b) Reserve Bank Amendment (Australian Reconstruction and Development Board) Bill 2013—to 4 December 2014.
Question agreed to.

**Scrutiny of Bills Committee**

**Report**

**Senator POLLEY** (Tasmania) (15:49): I move:

That the amendments to standing orders set out in Attachment B of the Procedure Committee's First report of 2014 (see below) be adopted, with effect from the next day of sitting.

Extract from Attachment B of the Procedure Committee's First report of 2014

Standing order 24(1)(a): After "Senate", insert "or the provisions of bills not yet before the Senate".

Omit standing order 24(1)(b), substitute:

(b) The committee, for the purpose of reporting on its terms of reference, may consider any proposed law or other document or information available to it, including an exposure draft of proposed legislation, notwithstanding that such proposed law, document or information has not been presented to the Senate.

At the end of standing order 24(1), add:

(c) The committee, for the purpose of reporting on term of reference (a)(iv), shall take into account the extent to which a proposed law relies on delegated legislation and whether a draft of that legislation is available to the Senate at the time the bill is considered.

Omit standing order 24(5), substitute:

(5) The committee shall elect as deputy chair a member appointed to the committee on the nomination of the Leader of the Government in the Senate, and the member so elected shall act as chair of the committee when there is no chair or the chair is not present at a meeting of the committee.

Standing order 24(7): Omit "in private session", substitute "and transact business in public or private session".

After standing order 24(8), insert:

(8A) The committee shall be empowered to print from day to day any of its documents and evidence. A daily Hansard shall be published of public proceedings of the committee.

After standing order 25(2), insert:

(2A) The legislation committees, when examining bills or draft bills, shall take into account any comments on the bills published by the Standing Committee for the Scrutiny of Bills.

Question agreed to.

**NOTICES**

**Postponement**

**Senator McKENZIE** (Victoria) (15:50): by leave—I move:

That general business notice of motion no. 346 standing in my name be postponed till the following day.

Question agreed to.
MOTIONS

Affordable Housing

Senator RHIANNON (New South Wales) (15:50): I move:

That the Senate—

(a) notes that:

(i) the New South Wales Coalition Government has:

(A) announced the sale of 293 public housing properties at Millers Point and The Rocks in Sydney, with the move expected to displace more than 400 public housing tenants,

(B) made the announcement without notifying the tenants first,

(C) left residents without answers about the disruption to their community and their lives,

(D) failed to undertake a complete assessment of the housing stock in question, and

(E) failed to require provision of any serious amounts of affordable housing units in the state's largest construction site at Barangaroo, adjacent to The Rocks;

(ii) the 1970s Green Bans organised by local residents and the Builders Labourers Federation won protection for the low cost and public housing in the Millers Point and The Rocks area, and

(iii) affordable and appropriate housing is a basic human right and there is already too little social housing stock within Sydney's CBD and surrounds; and

(b) calls on:

(a) the New South Wales Government to cease selling public housing in Millers Point, and

(b) the Federal Government to increase funding for affordable public housing.

The PRESIDENT: The question is that notice of motion No. 347 standing in the name of Senator Rhiannon be agreed to.

The Senate divided. [15:55]

(The President—Senator Parry)

| Ayes | 32 |
| Noes | 30 |
| Majority | 2 |

AYES

| Bilyk, CL | Brown, CL |
| Bullock, J.W. | Cameron, DN |
| Collins, JMA | Dastyari, S |
| Di Natale, R | Faulkner, J |
| Gallacher, AM | Ketter, CR |
| Lines, S | Ludlam, S |
| Ludwig, JW | Lundy, KA |
| Marshall, GM | McEwen, A (teller) |
| McLucas, J | Milne, C |
| Moore, CM | Muir, R |
| O'Neill, DM | Peris, N |
| Polley, H | Rhiannon, L |
| Rice, J | Siewert, R |
| Singh, LM |Sterle, G  |
| Waters, LJ |Whish-Wilson, PS |
| Wright, PL | Xenophon, N |
Senator MILNE (Tasmania—Leader of the Australian Greens) (15:57): I move:

(a) resolves that it is committed to the continuation of the Australian Renewable Energy Agency (ARENA);
(b) notes that on this day, 15 July 2014, the final two board members' contracts expire, leaving the Secretary of the Department of Industry isolated as the only remaining member of the board; and
(c) on the basis of paragraph (a) above, calls on the Government to immediately appoint board members to assist the Secretary of the Department of Industry in developing new and emerging clean energy technologies for Australia to export to the world.

Question agreed to.

**Australian Renewable Energy Agency**

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (15:57): I move:

That the Senate—

(a) resolves that it is committed to the continuation of the Australian Renewable Energy Agency (ARENA);
(b) notes that on this day, 15 July 2014, the final two board members' contracts expire, leaving the Secretary of the Department of Industry isolated as the only remaining member of the board; and
(c) on the basis of paragraph (a) above, calls on the Government to immediately appoint board members to assist the Secretary of the Department of Industry in developing new and emerging clean energy technologies for Australia to export to the world.

Question agreed to.

**DOCUMENTS**

Air Warfare Destroyer

**Order for the Production of Documents**

**Senator XENOPHON** (South Australia) (15:57): I move:

(1) That the Senate:

(a) notes:
(i) the failure of the Minister for Defence (Senator Johnston) to comply with the order of the Senate of 9 July 2014 for the production of the report of the review of the Air Warfare Destroyer project,
(ii) the statement by the Minister claiming public interest immunity on the basis That the report was prepared for Cabinet and informed Cabinet deliberations, and
(iii) the public comments by the Minister citing the report, thereby placing the report in the public arena and abrogating such claims to public interest immunity; and
(b) orders the Minister to comply with the order by 4 pm on Thursday 17 July 2014 or make a claim of public interest immunity which is in accordance with those accepted by the Senate; and
(2) That, in the event That the Minister fails to meet the requirements of paragraph (1)(b), a senator may immediately move without notice a motion in relation to the Minister's failure to either comply or provide an acceptable claim of public interest immunity.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The government again cannot support a motion that requires the production of documents which are covered by cabinet-in-confidence and commercial-in-confidence issues. The documents regarding the Hobart class air warfare destroyer are unable to be made public. The government complied with the former order to produce documents by tabling relevant information.

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

The Senate divided. [15:59]

(The President—Senator Parry)

Ayes ..................34
Noes ..................28
Majority.............6

AYES

Bilyk, CL
Bullock, J.W.
Collins, JMA
Day, R.J.
Faulkner, J
Ketter, CR
Lines, S
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
O’Neill, DM
Polley, H
Rice, J
Singh, LM
Waters, LJ
Wright, PL

Brown, CL
Cameron, DN
Dastyari, S
Di Natale, R
Gallacher, AM
Leyonhjelm, DE
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Muir, R
Peris, N
Rhiannon, L
Siewert, R
Sterle, G
Whish-Wilson, PS
Xenophon, N
Question agreed to.

MINISTERIAL STATEMENTS

Australian National Action Plan on Women, Peace and Security


The statement read as follows—


The Australian Government is deeply committed to supporting the United Nations Women, Peace and Security agenda. Women and girls are disproportionately affected in conflict and post-conflict settings, and are often subjected to gross human rights violations, including the use of sexual and gender-based violence as a weapon of war.

The Australian National Action Plan on Women, Peace and Security 2012—2018 is central part of that commitment. It provides a clear framework for our efforts to integrate a gender perspective into peace and security efforts, protect women's and girls' human rights, and promote women's participation in conflict prevention, management and resolution.

An important element of the National Action Plan is our commitment to regularly review the progress being made. I am therefore pleased to table the first Progress Report of the National Action Plan on Women, Peace and Security 2012—2018.
The Progress Report provides the first comprehensive picture of the actions taken across the whole of government to implement the Women, Peace and Security agenda from the commencement of the National Action Plan in March 2012 until the end of 2013. The Progress Report demonstrates the Government is tracking well against its responsibilities.

For example, the Women, Peace and Security agenda is being embedded into human resource management with over half (54 per cent) of the 1141 Australian military, police and Australian Public Service personnel deployed in operations receiving training on Women, Peace and Security. It is this type of baseline data that will be crucial for measuring future progress.

I am also pleased to advise that the Government is working with civil society organisations to deliver services in conflict and post-conflict settings, promote the role of women in peace building and reconstruction efforts, and raise awareness and provide education on Women, Peace and Security. This ranges from providing international aid for programmes such as women's empowerment training in Burma, to participating in a panel discussion on conflict-related violence against women and girls in the Democratic Republic of the Congo.

The breadth of work being implemented under the Australian National Action Plan for Women, Peace and Security 2012—2018 is impressive and I look forward to continuing to work with both civil society and across government with my Ministerial colleagues to build on the progress we have made thus far.

As the Minister Assisting the Prime Minister for Women, I am proud that Australia is an active agent in providing better outcomes for women and girls in conflict and post-conflict settings, and of our place as one of the global leaders on the Women, Peace and Security agenda.

**DOCUMENTS**

**Order for the Production of Documents**

**Tabling**

**Senator PAYNE** (New South Wales—Minister for Human Services) (16:02): I table a document relating to the order for the production of documents concerning the Australian Electoral Commission.

**COMMITTEES**

**Treaties Committee**

**Report**

**Senator RUSTON** (South Australia—Deputy Government Whip in the Senate) (16:03): On behalf of Senator Fawcett, I present the 141st report of the Joint Standing Committee on Treaties—Treaties tabled on 19 March and 13 May 2014—and seek leave to move a motion in relation to the report.

Leave granted.

**Senator RUSTON**: I move:

That the Senate take note of the report.

Question agreed to.
Human Rights Committee  
Report  
Senator SMITH (Western Australia) (16:04): On behalf of the Parliamentary Joint Committee on Human Rights, I present the ninth report of 44th Parliament of the committee on the examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011.

Ordered that the report be printed.

Senator SMITH: I move:

That the Senate take note of the report.

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights ninth report of the 44th Parliament. The committee considered 21 bills. Of these 21 bills, 17 do not require further scrutiny as they do not appear to give rise to human rights concerns. The committee has decided to further defer its consideration of one additional bill which was introduced previously.

The committee has identified eight bills that it considers require further examination and for which it will seek further information. This includes four bills which the committee had deferred consideration of in previous reports.

Of the bills considered, those which are scheduled for debate during the sitting week commencing 14 July 2014 include: the Fair Work (Registered Organisations) Amendment Bill 2014, the Family Assistance Legislation (Child Care Measures) Bill (No. 2) 2014, and the Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014.

The report outlines the committee's assessment of the compatibility of these bills with human rights. I encourage my fellow senators to look to the committee's report to inform your deliberations on the merits of this proposed legislation. As this is the committee's first report to the new Senate, which came into effect on 1 July 2014, I think it is timely to provide an overview of the committee's purpose and the key processes by which it performs its work.

The main function of the committee is to examine bills and legislative instruments that come before the parliament for compatibility with human rights, as defined by seven core international human rights conventions to which Australia is a party. In simple terms, those conventions define a range of civil and political rights, as well as rights collectively described as economic, social and cultural rights.

To understand the manner in which the committee undertakes its examination of legislation, it is critical to note that, aside from absolute rights such as the right not to be subject to torture, human rights may be generally subject to what are termed 'permissible limitations' under international human rights law. Accordingly, the committee's analytical framework focuses on, first, identifying if a proposed measure might have the effect of limiting the enjoyment of a specific right and, second, whether any such limitations may be regarded as permissible or justified.

In order to show that a limitation of a right is permissible, the limitation must, first, pursue a legitimate objective, understood as being a pressing or substantial concern that is capable of justifying a proposed limitation of human rights. Guidance on the preparation of statements of compatibility state that the existence of a legitimate objective must be identified clearly with
supporting reasons and, generally, empirical data to demonstrate that the objective is legitimate.

Second, there must be a rational connection between the measure and its objective.

Third, the limitation must be a proportionate way of achieving the objective being sought.

The committee applies this analysis impartially to all legislation which it examines and it is important to recognise that, in the tradition of legislative scrutiny committees, the committee undertakes a technical analysis that leaves aside the particular policy merits of the legislation being considered.

The committee's assessments are fundamentally based on the statement of compatibility, which must generally accompany each piece of legislation that the committee examines. An aim of Australia's human rights framework is to ensure that human rights are considered throughout the entire policy development and implementation process. Statements of compatibility should, therefore, ideally, reflect essentially the same approach as the committee takes to identifying, assessing and determining whether legislation is compatible with human rights.

However, while the quality of statements of compatibility has continued to improve since the committee was established there remains scope for improvement. As in all the committee's reports, there are a number of examples in this report where the committee has sought further information due to the inadequacy or incompleteness of the assessment contained in the statement of compatibility. However, I will draw senators' attention to one bill in this report which is a good demonstration of the committee's approach.

The Business Services Wage Assessment Tool Payment Scheme Bill 2014 responds to a Federal Court's decision which found the application of the business services wage assessment tool to be discriminatory. The tool was used to determine the wages of employees with an intellectual disability and it was held that including an assessment of a person's competency, as opposed to just their productivity, had a discriminatory effect on those persons. The bill establishes a payment scheme for those persons.

As noted in the report, the committee has raised concerns about the operation of the scheme from the perspective of the right to an effective remedy, the right to just and favourable conditions of work and the right to equality and non-discrimination, including the right of persons with disabilities to be recognised as persons before the law and to the equal enjoyment of legal capacity.

The committee has sought the advice of the minister as to whether the proposed scheme is compatible with these rights, noting that the statement of compatibility did not adequately identify and assess how potential limitations on rights would be reasonable, necessary and proportionate in each case.

I encourage senators to consult the report for the full discussion of the bill.

Finally, the committee has considered 15 responses regarding matters raised in relation to bills and legislative instruments in previous reports and the committee's remarks on these matters. With these comments, I commend the committee's 9th report of the 44th Parliament to the Senate.

Question agreed to.
DOCUMENTS
Tabling

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

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

COMMITTEES
Membership

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson) (16:10): Order! The President has received letters from party leaders requesting changes in the membership of various committees.

Senator PAYNE (New South Wales—Minister for Human Services) (16:10): by leave—I move:

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

Abbott Government's Budget Cuts—Select Committee—
Appointed—Participating members: Senators Hanson-Young, Ludlam, Milne, Rhiannon, Rice, Siewert, Waters, Whish-Wilson and Wright

Corporations and Financial Services—Joint Statutory Committee—
Appointed—Senator O'Neill

Economics References Committee—
Appointed—
Substitute member: Senator McLucas to replace Senator Carr for the committee's inquiry into affordable housing
Participating member: Senator Carr

Foreign Affairs, Defence and Trade Legislation Committee—
Appointed—
Substitute member: Senator Whish-Wilson to replace Senator Ludlam for the committee's inquiry into the Trade and Foreign Investment (Protecting the Public Interest) Bill 2014 on 6 August 2014
Participating member: Senator Ludlam

Foreign Affairs, Defence and Trade References Committee—
Appointed—
Substitute member:
Senator Whish-Wilson to replace Senator Ludlam for the committee's inquiry into abuse in Defence on 7 August 2014
Senator Whish-Wilson to replace Senator Ludlam for the committee's inquiry into the proposed Korea-Australia Free Trade Agreement on 8 September and 9 September 2014
Participating member: Senator Ludlam

Health—Select Committee—
Appointed—Participating members: Senators Hanson-Young, Ludlam, Milne, Rhiannon, Rice, Siewert, Waters, Whish-Wilson and Wright.
Question agreed to.
Electoral Matters Committee
Membership
Message received from the House of Representatives notifying the Senate of the appointment of Mr Pasin to the Joint Standing Committee on Electoral Matters in place of Mr Hawke.

REGULATIONS AND DETERMINATIONS
Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014
Disallowance

Senator DASTYARI (New South Wales) (16:11): I, and also on behalf of Senator Whish-Wilson, move:

That the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 102 and made under the Corporations Act 2001, be disallowed [F2014L00891].

I rise today to speak about the values that are at the heart of the Australian Labor Party and at the heart of this society. They are very simple values but they are values that we will defend in this chamber and outside this chamber. We are the party of hardworking Australians who are saving for their first home, saving to put their kids into a good school, maybe even if possible to a great Australian university, and putting some money aside for their retirement. We are and have always been the party of the Australian worker and we stand proudly in both the Senate and the House to ensure that, as best we can, the deck is not stacked against our people. We, in the Labor Party, will always give our voice to preserve the values of fairness and integrity. Today, I rise to put my voice on the record opposing the government's changes to Future of Financial Advice laws.

How did we get here today? We all know that the Abbott government wanted to make some changes to the FoFA legislation. We, in the Labor Party, have been very clear that we will negotiate with the government and with our friends on the crossbenches, that we will consult with the financial services and advice industry, that we will consult with consumer groups and that we will consult with legal experts in order to improve, where necessary, FoFA legislation. But we will not allow this government to abuse parliamentary process, which is exactly what they have done in this instance. We will not allow this government to introduce changes by stealth, changes that are widely roundly opposed by consumer and advocacy groups like Choice, National Seniors, Council on the Ageing.

We will not allow this government to introduce changes at the 11th hour—a move that has been widely criticised by financial journalists and legal academics, and even surprised officers of the Senate.

As we have heard in this chamber over the past 5 ½ sitting days, Senator Cormann's regulations made with the Governor-General's signature on 26 June—that we do not support and that weaken consumer protections—came into effect on 1 July before anyone outside the government had the opportunity to see them, let alone consult or consider them. As I stand before you today, Senator Cormann's changes are allowing unscrupulous advisers and banks pushing their own products, hustlers running their get-rich schemes and seminars, and all of
those con artists preying on working Australians to now bypass the best interest duty and to make their income by putting their own financial gain above the interests of consumers.

We will not allow this government to erode basic consumer protections. We reiterate—and this was echoed this morning by Choice, by National Seniors, by COTA and by my friend, Acting Deputy President, Senator Whish-Wilson—that we will not allow the government to make changes to the FoFA legislation: without consulting widely with the financial advice industry, many of whom are concerned about a return to the dark days before FoFA; without consulting with consumer groups, all of whom are concerned about a return to the horrific losses that happened before FoFA was introduced; without consulting with legal experts, many of whom are concerned about eroding basic consumer protections; and without ensuring that the voices of people who have been the victims of the regime that existed before FoFA—people like my friend, Naomi Halpern, who joined us in the parliament today—who have shared their experiences and stories here in this place.

That is why we, in the Australian Labor Party, are in the Senate. That is why we are in this place. I ask the government: who they are here to represent? Who are they lending their voice to? Who are they standing up for in this chamber? Are they people like Naomi Halpern, who are putting away money for their retirement? Are they people like those represented by National Seniors and COTA, or people trying to ensure that their kids can have better opportunities? Or are they standing up for the banks and the financial service industry, trying to take money off the very people who rely on us to make laws, legislation and regulations that are in their best interests?

I know who I will stand up for. I know who I will fight for. The people I represent do not wield power and influence within the Liberal Party. They probably will not be donating to Senator Cormann’s re-election campaign. We, in the Labor Party, respect those who do, and we will consult with everybody in good faith if we have an opportunity to have a proper debate about reforming FoFA laws. We will work in good faith with all parties to improve FoFA legislation. I say to Senator Cormann that we will even consider the concerns of some of the interests that he has been protecting. But we will not allow this government to ram through changes by stealth, to deliberately restrict this parliament’s ability to scrutinise changes. We will not be bullied into accepting the will of the powerful and we will not back down from standing up for Australian consumers. I urge the Senate to disallow these regulations.

Senator WHISH-WILSON (Tasmania) (16:19): The Greens will also be supporting this disallowance motion. This is as much about process as it is about policy. Just yesterday my colleague Senator Penny Wright asked me how she could find an independent financial planner because Penny and her husband want to get some financial advice. It is actually a really good question. What became really obvious during the Senate inquiry is that independent financial advisers, in the true sense of the word, are a small minority in this country. The majority of financial advisers and financial planners—and many of them are small—are actually still tied in many ways, shapes and forms to large financial services companies who have the product platforms and who manufacture the products.

The clear message that we got in the Senate inquiry from people such as CPA Australia and even independent financial planners was that in a generational or two—and it is going to take that long—they want to see a country where most of the advice provided on financial
products is provided by independent financial planners who charge a fee for service and who are not remunerated on a sales basis. They want to see the industry transform into that industry. They want to see confidence and trust come back into the industry and these FoFA laws were designed to do that.

As I made it clear at question time today, it became obvious during the Senate inquiry when the lobby groups representing the big end of town—the big banks—said that they had had an agreement with the previous government and the current government to get changes made by 1 July. And in exact words that I quoted in question time today, technical amendments would be 'sorted out' by 1 July.

It is our job here to legislate for public interest, not for special interests. It is very clear by the reaction that Senator Dastyari has eloquently spoken to, consumer groups and advocacy groups across the country—really important advocacy groups like Seniors Australia—are not convinced that we have the balance right. They are not convinced that we have enough trust or confidence yet in the financial planning industry.

I started by saying that this is as much about process as it is about policy—good process and good policy. This was being rushed by the government before 1 July, and it was brought through in the form of regulation. At some point in time it would come back to legislation in front of the house. The clear message sent was that the government knew it would not get its regulations through the Senate, because they were not only contested by the Labor Party, the Greens and other crossbenchers in this chamber, such as Senator Xenophon, but also contested in the public sphere and in the financial media.

Yesterday I talked about the collapse of Barings Bank. For those who have seen the movie Rogue Trader it really was a bad apple that brought down one of the oldest and most prestigious banks in financial history. But it was not just a rogue trader that brought down that bank; the culture in that bank allowed that type of behaviour to go on and on and on—undetected. It was no different from what we saw at the Commonwealth Bank. That culture is really simple; it is a culture of making profits; that is what banks do. Let's not kid ourselves, banks make profits for shareholders and they try to make increasing profits every year. That is their culture plain and simple. Selling financial products, be it general advice or personal advice, is how they have made their money for nearly a decade now and it is how they plan to make their money in the next decade. This is serious dollars.

But what is good for banks and their profits and their shareholders is not necessarily good for consumers of financial products in this country. That sales based culture is still allowed under this government's FoFA amendments. The 'balanced scorecard approach', or whatever you want to call it, is still an incentive for an employee at the front of the office to sell products to people walking in the door. That is what the banks wanted clarified, and those are the technical amendments they said the government had guaranteed it would get through by 1 July. But it does not change the culture. Speak to the independent financial planners—the industry they want to see in 10 or 20 years time of small independent advisers in this country. I have met a lot of them in this inquiry. They are good people and they do a good job. But we are never going to transform this industry if we do not have a tough set of regulations that lay down the law. Sometimes the regulations have to be simple to be noticed.
This is about restoring confidence and trust in the financial planning industry, which wants more Australians to seek financial advice. Rather than rushing through regulations to support the banks, we need to bring this legislation to parliament and properly scrutinise and debate it. Whatever the final result of that is, at least it will have gone through due process and we will have looked after the interests of the public in this regard, not just the interests of financial planners and the large end of the financial services industry. We need to strike the right balance. The clear and obvious signal from groups in Parliament House today is that that balance has not been struck. It is our job to do that here in the Senate.

Senator CORMANN (Western Australia—Minister for Finance) (16:25): I thank Senator Dastyari and Senator Whish-Wilson for their contribution to this debate. Obviously the government does not want to see these regulations disallowed. In giving effect to these regulations from 1 July 2014, the government is giving effect to some very firm commitments we made to the Australian people in the lead up to the last election. Of course, the improvements that we have made and will continue to make to our financial advice laws deliver benefits for consumers as well as, in particular, small business financial advisers. Financial advisers across Australia provide a very important service. They help people with their financial health and wellbeing. They help people manage financial risks. They help people seize financial opportunities. They help Australians saving for their retirement, managing their retirement and managing other financial risks through life. Yes, in doing so, they are dealing with other people’s money, so there ought to be appropriately robust regulation in place.

Whenever anything goes wrong, as it did with Storm Financial and other such collapses, policymakers and indeed the financial services industry itself ought to step back and reflect on what happened and make judgements on whether the policy settings, the regulatory settings, can be improved. That is exactly what happened in 2009, 2010 and 2011. We had a bipartisan inquiry chaired by the now shadow minister for financial services, Mr Ripoll. It came up with a set of recommendations on how our regulatory system could be improved which was supported by the coalition. The truth of the matter is that the Labor Party used the cover of events in the wake of the global financial crisis to push changes that went too far, to push agendas on behalf of their friends in union dominated industry funds. We have always supported sensible reforms of our financial services regulations. We have always said that we were supportive of the statutory requirement, introduced as a result of the Ripoll inquiry, for advisers to act in the best interests of their clients. We said we were supportive of the ban on conflicted remuneration and a whole range of other changes. Labor, in their changes to FOFA, went too far.

Senator Dastyari and Senator Whish-Wilson said that we are somehow rushing this. That is not true. Nothing could be further from the truth. I released a statement back on 28 April 2011, more than three years ago—and I know Senator Dastyari and Senator Whish-Wilson were not in the Senate then—making the point that ‘investors who receive financial advice will face more red tape, increased costs and reduced choice if Labor’s latest version of Future of Financial Advice proposals pass the parliament in full’—which, of course, it did. I said: ‘The coalition supports sensible financial advice proposals which increase transparency, consumer choice and competition. However, any reforms in this area need to strike the right balance between appropriate levels of consumer protection and ensuring the availability,
accessibility and affordability of high quality financial advice.' That is why we have said for some time that we support in principle the proposed statutory best interest duty for financial advisers, subject to seeing the detail in the legislation.

However, we also said then that Labor’s push to force people to keep re-signing contracts with their financial advisers on a regular basis was bad public policy, which did not strike the right balance. The reason we said that was that it pushes up the cost of advice without doing anything to improve consumer protections.

Later, then Minister Shorten actually did a special deal with Industry Super, saying that they should not be subject to the opt-in requirements, unlike small business financial advisers. In March 2012, I put out a release titled: ‘The coalition will fix FoFA in government’. I said:

If the Coalition is elected to govern at the next election we will fix Labor’s FOFA mess.

I said, 'The FoFA legislation passed by the House of Representatives today never went through a proper regulatory impact assessment.’ Indeed, it did not. I further stated:

Labor’s FOFA will increase red tape and costs for both business and consumers, while reducing choice, competition and diversity across the financial services industry …

It is unnecessarily complex and, in large parts, unclear. According to then Minister Shorten himself, ‘FoFA will cause job losses in the financial services industry.’

And further:

Conservative industry estimates suggest that it will cost around $700m to implement and a further $350m per annum to comply with …

From the beginning of this process—

and I am still quoting from my release of more than two years ago—

the Coalition has supported sensible reforms which increase trust and confidence in Australia’s financial services industry.

However, the legislation passed by the House of Representatives, we said, was ‘regulatory overreach’. I said:

… it has failed to strike the right balance between appropriate levels of consumer protection and the need to ensure the ongoing availability, accessibility and affordability of high-quality financial advice.

I said then that it was coalition policy that in government we would fix FoFA by implementing all of the 16 recommendations we made as part of the Parliamentary Joint Committee for Corporations and Financial Services inquiry into this legislation. We stated that these changes would include: the complete removal of opt in; the simplification and streamlining of the additional annual fee disclosure requirements; improving the best-interest duty; providing certainty around the provision and availability of scaled advice; and, refining the ban of commissions on risk insurance inside superannuation et cetera.

Rather than it being rushed, not only did we flag in 2011 and 2012 what we would do in exact detail but we actually released the policy in the lead-up to the 2013 election. It was the coalition’s policy to boost productivity and reduce regulation. Of course, in that policy, point 18 relates to the Future of Financial Advice amendments. Of course, my good friend Senator Sinodinos, on coming into government, started an extensive process of consultation. When I became Acting Assistant Treasurer earlier this year I paused the process that was underway and conducted some further consultations. I note that Senator Dastyari and shadow minister
Bowen have missed this particular statement, but on Friday, 20 June I actually released a very comprehensive five-page statement with the way forward on financial advice laws, including explanations of why we were doing what we were doing and also of the process that we would use in terms of regulation and legislation.

I am pleased to inform the Senate that, as I said last week when I was questioned in the Senate about this matter, I have been consulting with crossbench senators in relation to these matters. In particular, I have had some very good conversations with Mr Palmer, on behalf of the Palmer United Party, and also with the Australian Motoring Enthusiast Party. I know that Labor wanted me to act contrary to good practice. I know that Labor wanted me to rush the tabling of the regulations in the Senate so that there was even more pressure on new senators to deal with a whole range of issues, on top of having to deal with the carbon tax repeal legislation. But I have very much appreciated, having the events of last week behind us and having ensured that the regulations could only be dealt with this week, the time spent with Mr Palmer as Leader of the Palmer United Party and the opportunity to talk through the issues, explain what we were doing and why. In particular, I explained that what the government was doing was in the public interest and was good for consumers because it would improve access to affordable high-quality financial advice by removing unnecessary and costly red tape, while the government was maintaining all the important consumer protections that matter for consumers.

I am pleased to inform the Senate that the government has reached agreement with the Palmer United Party. I have written to Mr Palmer about a range of additional measures that the government will pursue by way of further regulations in order to take on board the positive suggestions that were made by Mr Palmer on behalf of the Palmer United Party. I have written to Mr Palmer and, at the end of reading this letter into Hansard, I will table this letter, consistent with the discussions that I have had, in order to provide full transparency around how we will even further improve the improvements that we have already made to our financial advice laws.

I am reading from the letter here:

Dear Mr Palmer

Thank you for your time yesterday and today and the very constructive discussions with you on behalf of the Palmer United Party about the Government's improvements to our financial advice laws.

As we discussed, the Government's intention is to improve access to affordable, high quality financial advice by removing unnecessary and costly red tape, while maintaining all the important consumer protections that matter for consumers.

As a result of our discussion this morning, if the FOFA Regulations tabled in the Senate on 10 July 2014 are not disallowed, the Government will make further Regulations within 90 days to ensure the following requirements in the Corporations Act 2001 are explicitly listed in the Statement of Advice provided by financial advisers to their client and signed off by both:

I now list the various provisions:

- That the adviser is required to act in the best interest of their client and prioritise their client's interests ahead of their own, consistent with the requirements in subsection 961B and 961J of the Corporations Act 2001;
That any fees be disclosed and that the adviser will provide a fee disclosure statement annually, if the client enters into, or has entered into, an ongoing fee arrangement after 1 July 2013 (This is already required under our amended financial advice laws);

That a client has the right to return financial products under a 14-day cooling-off period in accordance with the requirements currently provided under Division 5 of Part 7.9 of the Corporations Act 2001; and

That the client has the right to change his or her instructions to their adviser, if for example they experience a change in their circumstances.

These regulations will also specify that any instructions to alter or review instructions must be in writing, signed by the client, and acknowledged by the adviser. There will also be a requirement in those regulations that in that Statement of Advice the financial adviser provides an explicit statement that he or she genuinely believes that the advice provided to the client is in the client’s best interests, given the client’s relevant circumstances.

There will be a specific requirement enshrined in those regulations that the Statement of Advice is to be signed by both the adviser and the client.

These additional requirements will require regulatory change. The Government will make the necessary regulatory changes within 90 days.

We also will reflect those changes, as required, in amendments to the actual legislation currently before the Parliament, the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014.

Finally, the Government will work in consultation with all relevant stakeholders, to establish an enhanced public register of financial advisers (including employee advisers), which includes a record of each adviser’s credentials and status in the industry.

Incidentally, that deals with one of the recommendations out of the Senate Economics Legislation Committee inquiry into ASIC and is also consistent with one of the propositions that has been put forward by the Financial System Inquiry interim report released today. I continue quoting:

On behalf of the Government, I appreciate your advice that on this basis, the Palmer United Party and Senator Muir from the Australian Motoring Enthusiasts Party will be in a position to support our regulations to improve FOFA which came into effect on 1 July 2014, by voting against any disallowance and to support our FOFA legislation as amended to give effect to the additional measures in this letter.

The Government appreciates the very constructive approach taken by the Palmer United Party and by Senator Muir on behalf of the Australian Motoring Enthusiasts Party in helping the Government to improve access to affordable, high quality financial advice for all Australians.

Then it says that I have copied this letter to various people. I now table this letter for the benefit of the Senate. For completeness, I would also like to inform the Senate that I had very good discussions with Senator Leyonhjelm and Senator Day as well.

This is very good news for consumers. This means that consumers will have certainty about the regulatory settings moving forward. It will make sure that consumers across Australia will be able to benefit from proper competition. It means that consumers will have the benefit from being able to access affordable advice, because we are removing all of the unnecessary and costly red tape which Labor imposed on consumers and small business advisers, at the behest of the union movement. So I really thank the Palmer United Party for the very constructive approach that they have taken to this process, unlike the Labor Party. All the Labor Party and the Greens have been doing in this is playing politics. In the
meantime, the Palmer United Party engaged with the government. They came to us with some positive suggestions. They came to us with some constructive suggestions on how our improvements could be made even better. That is the way to legislate. That is the way to drive public policy improvements. On behalf of the government, I very much thank the Palmer United Party for their very constructive engagement with the government.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Thank you, Minister. Before I call Senator Dastyari, who does have the right of reply, I will ask if any other senators wish to speak on this matter. Senator Dastyari.

Senator DASTYARI (New South Wales) (16:40): What we see now is a government that have completely lost control of their own agenda. They are in a state now where, putting aside all of the fiasco of what happened last week, we have the PUP wagging the tail wagging the dog. This is not the government of Australia anymore. They are not setting the policy. They are not setting the agenda. You have a situation where agreements now have to be reached in letter, in writing, and have to be read into the Hansard for there to be any kind of an agreement. My friends in the Palmer United Party, what I worry is that you have been sold a pup. There is an agreement here about what will happen in 90 days. Let us be clear: that gets them outside the disallowance period; that gets them outside the period that is available for these regulations to be disallowed. What you have got here is a government who have said they are going to do a bunch of things, who have made promise after promise after promise to different groups, to different organisations and to different Australians and have broken them at every instance. That is what we are going to see happen here again. There is a 90-day timetable that was set by a government who are bent on breaking every promise they can break.

Today is a sad day for the tens of thousands of Australians who have suffered losses from financial collapses like those of Timbercorp and Storm and from Commonwealth Financial Planning. Rather than recognise what has happened in the financial services industry—an industry where a handful of rogue elements have given the broader industry a bad name—this government has sided with the interests of a handful of crooks, criminals and con men who want nothing more than to return to the bad old days of financial advice. Senator Cormann, you are better than this. You are better than a deal that needs to be done during question time regarding letters and controlling the government. This is a government that has lost control of its own agenda. This is not a government that sets out what happens on a daily basis. We wait and see what Mr Palmer puts in the Financial Review the night before. Let us be clear: we all know that this happened yesterday and today. We wait to see what Mr Palmer puts in the Financial Review and, based on that, the negotiations begin and the agreements get made.

This was meant to be responsible adult government. You had Mr Abbott say, on 4 August 2013:
There will not be deals done with independents and minor parties under any political movement that I lead.

Shame on you, Minister Cormann. Shame on this government. Shame on you for being a government that is prepared to do these kinds of dirty deals at the eleventh hour, simply to protect the interests of a handful of big banks, big interests and the big end of town. I actually have an incredible amount of respect for Senator Cormann. I have always viewed Senator Cormann as someone who has—a view that I do not necessarily always agree with—a
libertarian free-market view and a view about responsible policy. Responsible policy is not determined at the eleventh hour in deals that are done in this manner.

A proper legislative process should have taken place, where legislation is brought into this place and there is an opportunity for a proper debate, an opportunity for amendments and an opportunity for every single consumer advocate group in this country to have their say. That is not what we have had. What we have had is a dirty deal being done at the eleventh hour with a minor party. A deal was done with a minor party at the eleventh hour, because this is a government that no longer controls its own agenda. This is a government that no longer controls what happens in the Australian Senate and can no longer control what happens with legislation. The government's relationships are so bad that we witnessed the humiliation of a minister of the Crown having to read into the Hansard an entire letter, simply because that was a term of the agreement. Senator Cormann, you are meant to be the minister and the government of this country.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Please address your remarks through the chair, Senator Dastyari.

Senator DASTYARI: Through the chair, Senator Cormann is meant to be a minister of this government. He is meant to be a voice in this government. This is a government that no longer controls its agenda.

What worries me is that today we have broken the hearts of thousands of Australians who rely on and should be able to depend on non-conflicted, strong, good financial advice. What we have instead—from a government that have already said that they are not prepared to take any action on something as large as the financial planning scandal—is another deal that will give the government another opportunity to go around and collect the donations from their friends from the big end of town. Once again, those Australians who do not have the voice to speak for themselves—who do not have the lobbyists, who do not have the money or the power—have been silenced by this government.

Government senators interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senators on my right, come to order!

Senator Wong: It is determining your policy decisions. You have taken donations and that is determining your policies. You are doing the bidding of the banks.

The ACTING DEPUTY PRESIDENT: Order! Senators on my right and on my left! Senator Wong, please come to order. I will not call Senator Dastyari until the Senate is quiet. Senator Dastyari, you have the call.

Senator DASTYARI: I have to say to my friends from the Palmer United Party that, while I accept your position that you will negotiate whenever you can negotiate and get whatever deal you are able to get, this is not the way to do policy. This is no way to run a country. Australian families deserve better than a government that will sell out anyone and anything to protect the interests of a handful of the richest, most powerful and wealthiest Australians. They are the interests that you have chosen to represent today—not the voices of those who suffered at Timbercorp, those who suffered in Storm Financial or those who suffered in Commonwealth Financial Planning. They are not the voices that you have chosen to represent; you have chosen to represent those of
CommBank, AMP and Macquarie Private Wealth—the handful of the wealthiest and most powerful groups in this country. And, once again, Australian families have been sold out.

This is no way to do policy, Senator Cormann. This is no way to run a government. This is no way for us to operate for the next few years—with dirty deals being done dirt cheap at the last minute. Frankly, the Australian people never voted for this and they will never support this. The Australian people deserve better than these kinds of deals that are done to protect a handful of the wealthiest and most powerful Australians. Once again, tonight there will be a group of people—the con men, the sharks and those who have misrepresented and misused the financial services industry—salivating at the prospect that, under you, Minister Cormann, they can return to the bad old days of financial planning. Unfortunately, our friends here in the Palmer United Party have allowed them a vehicle to do that. I can assure you of one thing regarding any deal you think you have with this government: they have very cleverly set a 90-day period, because that takes you beyond the disallowance period, to make sure your leverage has been minimised.

Senator Cormann, time after time in the last government, you would get up and give speeches about process. You talk about how the Senate should be run and you talk about the fact that we should have an Australian Senate that is prepared to have legislation and is prepared to bring things forward. But, once again, you have cowered and you have run away.

Senator Cormann: I'm here.

Senator DASTYARI: Senator Cormann, you did not have the guts.

The ACTING DEPUTY PRESIDENT: Address your remarks through the chair.

Senator DASTYARI: Through the chair, this government did not have the guts to bring legislation into this place and to allow a fair and proper debate on their regulations. Let us be clear: they have done deals at the eleventh hour and deals at question time, because this is no longer a government that are in control. This is no longer a government in control of the Australian parliament. We saw it happen last week and we are seeing it again this week. The government have lost control of their agenda. The government have lost control of their policy-making ability. Senator Cormann, you are better than this.

Opposition senators: No, he is not.

Senator DASTYARI: No, I actually do believe that.

The ACTING DEPUTY PRESIDENT: Ignore the interjections, Senator Dastyari.

Senator DASTYARI: I think the Australian public rightly deserve better than this. We have seen collapse after collapse. We have seen Australians lose their homes. I spent the morning talking to one victim from TimboCorp who said that there were 300 people in the same situation that she was in. Yet here we have a government who have done everything they can at every point in time, wherever available, to make sure that they represent the interests and protect that handful of dodgy financial planners. Frankly, I believe the Australian people deserve be I believe there are voices out there—tens of thousands of voices—of people who have suffered from dodgy and bad financial advice. And, no, they are not going to be paying $1,500 and $2½ thousand to buy tickets at fundraisers, but there are thousands and tens of thousands of Australians who deserve to be able to rely on the financial advice that they are given, and what we have seen today is the government sell them out. Why? Because this is a government that, firstly, no longer has control over its own agenda. It
is a government that has lost control of its ability to make policy and to determine what happens on a daily basis.

Government is now decided and determined based on what Mr Palmer decides to put in the paper the day before. That is how government is being done and how decisions in this place are now being made. Minister Cormann likes to go on about the Labor-Greens coalition. Let us be clear about this: this is now a Liberal-National-PUP coalition that is making these decisions.

The tragedy is: there is going to be another financial collapse; there is going to be another large scandal. We here today had the ability to take, we could have taken, whatever steps were necessary to prevent that from happening again. Instead, to protect their own interests and to protect the interests of a handful of people, this government has decided to sell out.

I say to the government: Australia deserves better. We deserve better than these kinds of deals. We deserve honesty. We deserve transparency. We deserve a proper legislative process where these things could be debated. You do not have a single consumer advocate group—not one single consumer advocate group in this entire country—supporting the measures that are being taken. I will tell you who does support the measures: a handful of big banks; a handful of corporate interests; a handful of donors to the Liberal Party. But the everyday working Australians who rely on financial advice are not with you on this, and they will never be with you on this.

I say to my friends from the Palmer United Party: do not let this be a lesson in how you are going to govern. You cannot have government being run by last-minute deals. We cannot have government done that way. While I respect and accept the fact that you will always negotiate the best deal that you feel you can get, the fact that these people will bend over backwards every time you make any demand, the fact that you now have the ability to set the entire agenda, and the fact that this country is simply being run by your whims and wishes does not mean that that is a power that should be abused. I believe that in this instance, unfortunately, you are abusing that power. You are taking advantage of the fact that this is a hopeless government that has already completely lost control of its own policy agenda.

There is a better way. There is an open way. There is a transparent way. There is a way in which the thousands and tens of thousands of Australian voices can and should be heard. And I urge this Senate to go back to the drawing board and disallow these regulations. Question put.
The Senate divided. [16:59]
(The President—Senator Parry)

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

AYES

Bilyk, CL
Cameron, DN
Conroy, SM
Di Natale, R
Gallacher, AM
Ketter, CR

Bullock, J.W.
Collins, JMA
Dastyari, S
Faulkner, J
Hanson-Young, SC
Lines, S

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### AYES

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Question negatived.

### FIRST SPEECH

**The PRESIDENT** (16:59): Order! Before I call Senator Reynolds, I remind honourable senators that this is her first speech; therefore, I ask that the usual courtesies be extended to her.

**Senator REYNOLDS** (Western Australia) (17:03): Thank you, Mr President. In rising to give my first speech, I am deeply humbled and greatly honoured that Western Australian voters have elected me to the Senate—not once, but twice. It is a privilege and a heavy responsibility bestowed on very few Australians, and I extend my warmest congratulations to all other new senators. This new Senate, like all that have preceded us, presents significant challenges, but it is also a fresh opportunity to work together in the long-term national
interest. While optimistic about the future of our federation, I am neither blind to the challenges confronting us, nor unwilling to tackle them. As is tradition in a first speech, I will share with you my story and how it will shape my approach as the 91st senator and the 16th woman from Western Australia.

First and foremost, I am both a passionate Western Australian and a proud Australian—two different, but not inconsistent identities. I have much to be thankful for: being born in Perth in the decade I was; for the close, supportive and loving family I have; for my partner and for the many friends who have supported me along the way. I am also grateful for my wise and generous mentors and for the opportunities they have encouraged me to pursue, both here and overseas—particularly in Indonesia and Papua New Guinea, countries I have close ties to and great affection for. I have much to pay forward.

I arrive in this place after diverse and rewarding careers in politics, in government, in our Army and in industry. I graduated from St Brigid's College in the Perth Hills, not really knowing what I wanted to do with my life. But at 19 I enlisted in the Army Reserves, and no one was more surprised than my parents. I had found my first great passion in life. I am a very proud reservist, and 30 years of service has shaped me in innumerable ways. I would not change a day of it—even the toughest ones, when I arrived home, dirty, exhausted and tested beyond what I thought I could endure.

Like thousands of other reservists, I have quietly and seamlessly blended my military skills into civilian life. As young Army officers, we are taught critical-thinking skills; to analyse problems and recommend solutions. You never take a problem forward without having options to address it. The Army also taught me how to plan, manage and lead teams to deliver results. As I got older and more confident, I learnt how to lead as an individual, as me, and as a woman. These military skills served me well as a young electorate officer in Midland in the early 1990s, working for former federal parliamentarians Fred Chaney and Judi Moylan. Fred, it is wonderful to see you here today. Both Fred and Judi taught me much about politics, but most of all I learnt from them that politics is about people and about compassion.

Later, as chief of staff to Chris Ellison, the Minister for Justice and Customs during one of our most challenging times in government—9/11, the Bali bombings and the Tampa—I experienced the best and the worst of humanity. My resilience was tested throughout this time, and to the day I die I will never forget what I saw, what I heard and what I smelt. It was at the Bali hospital, where Australians were lying in the morgue, that I came to truly understand that those who desire to destroy democracy, do not respect our national compassion. Instead, they ruthlessly exploit it. I now know compassion has to be balanced by strength and by decisiveness.

Coming into the Senate on the 70th birthday of the Liberal Party, I have reflected on why I am a Liberal and the values that continue to shape me. I joined the Liberal Party at university in the late 1980s and, somewhere between letterbox dropping and doorknocking, I had found my philosophical roots and my second great passion in life. I also found lifelong friendships, some of whom are in the chamber today. Over time, I have found policy making becomes easier when you have clear philosophical and moral principles to guide you.

I am a product of a family that has always worked hard for their successes. As the granddaughter, daughter and sister of hardworking and enterprising West Australians, I have experienced what it takes to start, restart and grow businesses big and small. I understand,
therefore, that governments do not generate national wealth; productive and competitive free markets do. I believe in enabling initiative, competition and productivity, not in killing it through protection, subsidies and red tape. I believe we must legislate sparingly and wisely so as not to impede the majority of hardworking Australians who are doing the right thing. I believe governments must provide equality of opportunities, not seek equality of outcomes. I believe in the principle of freedom through the law, but I also understand that in a democracy, freedoms are never fully free, so we must all be eternally vigilant to ensure their protections and limit their restrictions.

I bring to the Senate many different participatory roles in our democracy. I have experienced our system of government from many perspectives. In recent years, I have mentored political leaders from new and troubled democracies, including Thailand, Papua New Guinea, Iraq, Afghanistan and Pakistan. I have been inspired and forever changed by their stories and their courage in fighting for what we take for granted. In contrast, our Federation was born out of talk, not war. Our nation is a testament to what can be achieved peacefully and with an enduring spirit of co-operation and compromise. The extensive deliberations and compromises of our own founding fathers delivered us an enduring and robust Federation, but not a perfect one. Having witnessed democracies overseas succeed and sometimes fail, I now understand that there is no perfect democracy or perfect constitution. It is up to all participants, and especially us in this place, to make the rules we have work and to find a way to come back together after conflict and division.

I was aghast but ultimately not surprised to read the 2012 Lowy poll which found that 40 per cent of all Australians and 60 per cent of 18 to 29-year-olds did not believe democracy was preferable to any other kind of government. Think about that. This is a clear message to us all that, even in times of extended peace and prosperity, the health of any democracy, including our own, is neither self-evident nor self-sustaining, and we must never take it for granted.

For a healthy democracy, Australians must also have confidence in the integrity of our democratic institutions. Elections must be run professionally and cleanly so that, while some Australians, and even some in this place, may not like the outcome, they accept it. The WA Senate election rerun should never have happened, but it did. In the end, our democratic processes worked and we had a second election, but we do not yet have any guarantee the same problems will not happen again, and that should be of concern to us all.

To maintain and strengthen our own democracy, we must first truly understand it. President Franklin Roosevelt said:

Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education.

I believe all Australians must leave school with a firm grasp of our democratic system so that they are prepared to engage as active and informed participants. I do not believe this is the situation today. Therefore, it is imperative we reintroduce more comprehensive civics education to the national curriculum, and I will be fighting for this to occur. My good friends in Bhutan have a wonderful program called Democracy in our Place, which we can learn much from. Ironically, it has been developed with the support of the Australian Electoral Commission.
The realisation that I am only two generations away from colonial Australia and the reign of Queen Victoria has helped me put our own constitutional history in context and current political events into perspective. The challenges we face today in this place are far from unique. My grandfather, Alfred George Reynolds, a Gallipoli veteran, was born in the colony of Queensland in 1894. A hundred years ago this year, he enlisted in the AIF to serve king and country. Later in his life, he too decided to contribute further to his country as a member of the WA Legislative Assembly.

Democracy in my grandfather's youth was not as we know it today. Not all adult Australians had the right to vote. They were far more self-reliant and had less exposure to politicians and far fewer expectations of government. The universal right to vote was not achieved until my parents' generation, when the expectations of the role of government increased, as did the acceptance of more restrictions on individual freedoms.

Over my generation, the expectations of Australians, particularly in relation to welfare and entitlements, has continued to increase, while options on how we can pay for them have often become inconsequential afterthoughts. The truth is that for every government action, large or small, there is an opportunity cost—something to be foregone, a new tax or burdening future generations with our debt. So, before any of us in this place propose new spending programs, I believe it is beholden on us all to also provide options on how we pay for it. When we do not or when we block reforms to reduce debt, we increase public cynicism and distrust in us all.

While the role of the Senate has evolved, it rightly remains a states House. The slogan 'One People, One Destiny' used by two of our founding fathers, Henry Parkes and Edmund Barton, resonated across the Australian colonies as it was a message of sovereign cooperation, not integration.

I believe it is time we celebrate and encourage the diversity of our states and territories, and approach our Federation with a new respect and maturity. It was the promise of collective and stronger Defence, Foreign Affairs and Trade, rail standardisation and the abolition of intercolonial duties and excises that got the colonies over the line to deliver Federation. Critically, the guarantees that a sufficient revenue funding base would be available for all states to meet their constitutional obligations got Western Australia over the line—just. It was also the prime motivation for the 1933 attempt to withdraw from the new nation.

At Federation, it was predicted that only 25 per cent of taxation revenue would be required by the new Commonwealth government. But as Sir Robert Menzies observed in the mid-1960s, this was 'a starry-eyed expectation that the new Commonwealth Parliament and government would be cheap'. Sir Robert was right. Today, total revenue raised is split 75-25 per cent in the Commonwealth's favour. The simple truth is that since Federation we have never provided a sufficient revenue base for the states and the Commonwealth to both meet the increasing levels of services expected by Australians. WA's projected per capita share of GST will fall from 45 per cent last financial year to just 11 per cent in three years. Neither is this just, nor was it the intent of our founding fathers. The world does not stand still and neither can we. Long-term economic growth depends on all states doing better—not by slowing down the sectors of the economy that are doing well.

I support the concept of competitive federalism, as all states possess competitive advantages. There is simply no excuse for any state not to thrive, I believe, it is merely the lack of political leadership to innovate and transform. I welcome the Prime Minister's white
paper on Reform of the Federation and look forward to contributing to it, together with my colleagues from Western Australia.

On reflection, my own professional career, in one way or another, has always been about change. Change in any context, particularly in politics, is always challenging and never just happens, as we are all, by nature, comfortable with the status quo. Woodrow Wilson once said, 'If you want to make enemies, propose change.' Despite the difficulties, change since Federation has been continuous and profound, but it never just happens.

No modern institution can expect to meet the future needs of Australia if it does not fully realise and equally utilise the talents of both men and women. Over two years ago, I was a member of the Chief of Army’s advisory committee on gender diversity. I admired the leadership and honesty it took to identify and start addressing, previously unrecognised unconscious bias and barriers to women advancing in the military. These biases and barriers are now obvious to me in politics and in many other professions. I strongly believe that now is the time to evolve and mature our national approach and narrative on gender. I will be a very active participant in this important change process.

The Department of Defence is one of our original and great departments of state. I have experience of our defence forces like few others in this place today. While some may see me as a supporter of our men and women in uniform—and I am proud to say that I am—I am no apologist. History shows us that while our defence forces have maintained high public regard, unfortunately, the same cannot always be said of the department. Since 1902, the department has been subject to almost continuous criticism, review and reform as successive governments have expected them to do too much with too little.

Thousands of Australian service men and women have lost their lives and been wounded in the line of duty. Since 2002, 40 soldiers have lost their lives and 260 have been wounded on operations. For that, we all owe them a debt of gratitude that can never be repaid. But what we can do is ensure their families are always well supported. Today, the Prime Minister, the Minister for Defence and senior members of the opposition attended the funeral of Lance Corporal Todd Chidgey, a brave and respected soldier. I know the thoughts of all of us today are with his family.

As the Army Adjutant General, I was responsible for assuring the safety and security processes for our service men and women and I came to more fully appreciate how the policies we consider in this place have a real-life impact. It is our responsibility to ensure that the department supporting our service personnel does so as efficiently and as compassionately as possible. Leading three large change projects in Army also showed me that public sector reform, while challenging, is possible. As a new member of the Defence Sub-Committee, I look forward to protecting the interests of our men and women in uniform. I will also passionately pursue genuine departmental reform to ensure we have a capable military force for the 21st century.

As a service woman and a granddaughter of a Gallipoli veteran, I am delighted that we are commemorating past and present military service through the Centenary of ANZAC program. I look forward to participating in many of these events in Western Australia, not just in Albany—where my grandfather embarked in the first convoy—but also in the many small country towns which lost a generation of their sons. The Centenary is also a wonderful
opportunity for us all to learn more about our history, our system of government and our own individual roles within it.

None of us succeed in life on our own. My thanks to the people of Western Australia for the faith they have placed in me to represent them. There is nothing more important than your interests. I am deeply indebted to so many who have made it possible for me to serve in this place.

It is simply not possible to mention you all by name today, but that in no way diminishes my gratitude to each and every one of you.

On re-election night, when the result was too close to call, I said no member or supporter of our party should wonder if there was anything more we could have done because there was simply not.

As totally inadequate as it is, I say thank you to all Liberal Party members and supporters. You play a critical role in our democracy.

I especially acknowledge the contributions of all our wonderful Liberal women, who willingly rallied a second time to support the Senate team. A special thanks to my friends Heather, Danielle, Sally and Robyn.

Liberal women such as Carole, Sara and Anita from the Brand Division, who are here today—you are truly the heart and soul of our party.

To all my colleagues in Hasluck, your support and friendship mean a great deal. To my good friend Ken Wyatt, Anna and your extraordinary team I say thank you. You continue to show us all how it is done.

To my fellow re-elected Senate candidates, Senators David Johnston and Michaelia Cash, and my fellow candidate, Slade Brockman, thank you for your assistance and very generous support during a quite challenging time.

To our strong coalition partners, the Nationals, your support in the Senate re-election was invaluable.

To Ben Morton and Brian Loughnane, my heartfelt appreciation to you and your teams of hard working and talented professionals.

To my parents Laith and Jan, you have loved, supported and raised me and my brothers Andrew and Cameron with strong Christian values.

You have provided us with diverse and rich life experiences which prepared us well for life's challenges. I hope to make you proud.

To my partner Robert, my brothers and my sisters-in-law, Shirene and Charlotte, I simply could not have done it without your support. Thank you.

And to my nieces Octavia and Anastasia, you bring light, happiness and love to my life, as do my God children.

To my friends, you have been there for me the whole way. I have always appreciated your support, wise counsel and the occasional reality check.

To all my coalition colleagues in this chamber and in the House of Representatives, I simply say thank you for everything you have done.
To my predecessor, Alan Eggleston, you leave this place with great respect and an enduring legacy. Alan, on behalf of us all, I thank you for your service and wish you well for the next chapter of your life.

I now have the privilege of serving on the advisory council of my old school, St Brigid's College. I welcome Ayla Irvine-Thom and her father Russell here today. Ayla, I hope you can take a message back to our school that politics and what happens here do matter a great deal.

While I have worked in this building for many years, I only now understand just how different it is to serve in this chamber. My sincere thanks to you Mr President, to the Clerk of the Senate and to the Black Rod and your officers for your warm and generous induction.

Mr President, we are a great nation, capable of achieving truly amazing things, when we work together.

While there is no perfect system of government, it is our responsibility to work towards it. Sir Charles Court said, 'Whatever we want for Australia, we should look for in ourselves. We must all lead by example, as we cannot expect Australians to do what we are not willing to do ourselves.'

Australian voters have made a clear choice. Let us all in this place respect their decision. Let the elected government govern, and trust Australian voters to be the judge at the next election.

As my Indonesian friends wisely say, 'Tak kenal, maka tak sayang'—if we do not know each other, then we will not care for each other.

I know we will find a way to work together to restore public confidence in our democracy and in this place.

Thank you.

BILLS

Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2]

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

At the end of the motion, add:

but the Senate is of the opinion that the repeal of the Low Income Superannuation contributions should not be concealed in this legislation as it will:

(a) diminish, by around $27,000, the retirement savings of one in three Australians,

(b) negatively impact on almost one in two working women and 80 percent of women who work part time, and

(c) will place further pressures on future governments due to increased costs to the aged pension.

Senator O’NEILL (New South Wales) (17:31): I rise in continuation on the Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2]. I commenced my remarks earlier today by saying that we are reminded—particularly after hearing a speech like we have just heard—of the privilege of being in this place every time we get to speak. On many occasions I do commence my remarks by saying what a pleasure it is to speak. But I am
finding that, day after day, as I rise to speak to the suite of legislation that has been put before us by the government, I am disgusted by what seems to be a dystopian view of Australia that those opposite are determined to inflict on us. I was at a point in my speech this morning where I was speaking about the coalition revealing their values and their belief set. It seems to me, with this piece of legislation that we are debating today, that they believe that the destitute should actually be destitute and that those who are the most disadvantaged should be that way—as if, through some fault of their own, they deserve to be down there; and while they are down there they will give them a good kicking as well. This is not the vision of Australia that I believe in and it is not the vision of Australia that will lead us to a better place, a grander vision of Australia.

Those opposite are dependent on their friends in high places, and they are paying them back with piece after piece of legislation that they are pushing through this place. This piece really shows that the multinational corporations are in their gaze; it shows that they believe that they should have a generous welfare cheque to give to the multinationals at the very same time as they rip away opportunities and much-needed dollars from families and small businesses as they repeal this piece of legislation.

The decisions made by this government in its short time in office read like a shopping list of inequity. Cuts to low- and middle-income earners abound. We see in contrast largesse to those who need it least, and that is shameful, absolutely shameful. Through this legislation the coalition is gifting multinational corporations billions of dollars in revenue—revenue which we, the people of Australia, who own the minerals, will no longer benefit from. This government is determined to deliver the wealth of our land, that we sing about every time we sing the national anthem, into the pockets of multinationals while ripping away opportunities and support for ordinary Australians right around this country. To put it simply, the coalition is robbing everyday Australians. The fact that they can actually manage to give money back to multinational corporations really reveals the lie that they have peddled about a budget emergency. If there were genuinely a budget emergency there is no way they could afford to give money back to the multinationals; yet that is what this bill determines will happen in our country.

In a way it would be funny, if it were not so tragic. They say one thing and their actions belie another. In giving to those who have the most and taking away from those who have the least, and in seeking to recoup the people's money through this legislation, the coalition has moved to attack the incomes of Australian workers, families and small businesses—all to provide a kickback to their big business, multinational corporate mates. It is an unedifying act from a truly unedifying regime. One has to wonder how coalition members of parliament can live with themselves every day, having to justify and explain away the cruelty of the retrograde policies that they are imposing on the Australian people. It is not only the repeal of the MRRT that defies logic—a tax that serves to redress the imbalance in taxation rates paid by the mining sector compared to overall corporate rates; it is the initiatives they are seeking to kill off under the guise—and I mean a disguise, a pretence—of this MRRT repeal which Australian s should be really angered by.

I want to refer to comments put on the record by my colleague Senator Bilyk this afternoon in her speech, when she made it very, very clear just how hypocritical and how determined this government is to hide the reality. This legislation removes the schoolkids bonus, which
was not even brought in under the MRRT; it was family tax legislation that brought that in. Yet this government is seeking to hide, removing that from families across this nation under this big banner of the MRRT legislation. Ripping away the schoolkids bonus from low- and middle-income families, imposing a tax on the superannuation of low-paid workers, and removing much needed tax breaks for small businesses—that is what this legislation is doing. That is what this government is seeking to do. These are cruel measures and a another sting in the tail following the incredible raft of unfair elements in the budget of broken promises.

The Treasurer, the member for North Sydney, reveals how cynical and deceptive this government continue to be. His claims that the repeal of the MRRT is going to contribute to repairing some of the fiscal damage they continue to claim was inflicted by the previous government simply belies the fact that the MRRT was actually raising money, as taxes tend to do. Their policy response has been to inflict fiscal damage on the finances of every Australian family.

Where might you ask is this money that they are clawing back being directed? True to form, the Abbott regime is gifting this money to multinational corporations and paying very wealthy people $50,000 to have a baby, and cutting taxes not of the low paid or the moderately paid but of the wealthiest superannuation account holders in the country. These extravagant measures will cost tens of billions of dollars. While they are doing that, they have the unconscionable temerity to cry poor. What is really happening on the other side is not a poverty agenda but a determination to increase the inequity in Australia. Like Robin Hood in reverse, the Abbott coalition has launched a full frontal attack on Australian parents, ripping away the schoolkids bonus—a policy which has no connection to the MRRT, none. Repealing it will actually cut assistance to 1.3 million low- and middle-income families.

The impact of that will see the average Australian family with two children $1,1230 worse off each year and $15,000 worse off over the period of schooling two children. We hear them bleating day and night about the $550 that they pretend will be going back into the pockets of Australians. I will be waiting and so will Australians right across this nation be waiting to see that $550. It will not materialise, and there is abundance reportage in the papers in the last couple of days about how inaccurate that number is. Why should we expect any truth from this government that provide daily a litany of lies?

Taking away the schoolkids bonus from families, $410 for each child in primary school and $820 for young people in secondary school, is going to not only impact on those families and the children and their opportunities to explore learning in a range of ways, guided and enabled by their parents, but also take millions and millions of dollars out of local economies. In a regional economy like the Central Coast, removing the schoolkids bonus will take $20 million out of the local economy. That will have a significant impact—the flow-on effect of policy made on the run, policy made with a miserly vision of this country, policy that fails to take into account the reality of small business.

Not only are families going to be hit by this cut; small businesses affected by the cut to the schoolkids bonus are also going to be hit in another adverse way by what this bill seeks to repeal—that is, the repeal of the small business instant asset write-off. Under Labor, there was a $6½ thousand instant asset write-off. I know those on the other side yell and shout, and make grand though inaccurate claims that this side of the parliament do not understand small business. I very much understand small business. Like many of my colleagues, I grew up in a
small business family. All my family are engaged in small business. My husband runs a small business, though I am too busy doing this day job now to be a participant in that. I know what a depreciation schedule is. I know the paperwork that is involved with implementing the GST. I know what it means when you have $6½ thousand that you can apply as an instant asset write-off. I know that Labor’s promise to put $10,000 as an instant asset write-off would have been a huge advantage to families right across this nation. For families in New South Wales that are running small businesses and employing young people, and giving them a start, it would have been an instant asset assistance to them that would enable them to keep their businesses running.

What do we have from this government that pretends day in and day out to be the friend of small business? We have a cut not just from $6,000 to maybe $5,000, $4,000 or $3,000, but a cut that puts the instant asset write-off down to $1,000. So much for assisting the cash flow of small businesses across the nation. That is what this legislation is seeking to do: to take away Labor’s support of $6½ thousand for small businesses—and the promise to put it at $10,000 at the last election—and to put it down to a measly $1,000, while those opposite continue to prop up multinational companies.

There was a slogan that was run by many of the business chambers around Australia in the lead-up to the last election and it was ‘Small business too big to ignore’—but it is not big enough for this government to pay attention to. They will pay plenty of lip-service, but when the rubber hits the road these guys opposite do not know how to support small business. They are no friend of small business. Their actions reveal their true beliefs, that they can take away from those who are smaller and give to those who are bigger and take away from those who are poorer and give to those who are richer. That is what we are seeing here day in and day out, and that is why it is such a challenge to come into this place and watch these good things that were established under the former Labor government being peeled away—and so often for no reason other than an intent to destroy the legacy of a Labor government that had a grander vision for this country than that miserly group on the other side who are talking this country down. No-one would have come to Australia and invested here and lived the kind of life that Australians have lived if they had followed this mob on the other side. But we are stuck with them now. And what we are stuck with them doing day in and day out is taking away and taking away, and this piece of legislation absolutely reveals it.

What we see in this piece of legislation is an effective action plan for raising taxes on Australian small businesses so that the government can cut taxes for multinational big businesses. When you consider the value and wealth that small business provides to our local communities, particularly in regions across our nation, they are the big employers. Small businesses are the job creators of our community. This government simply does not understand what it is doing by putting this sort of legislation in place.

To top it all off, this bill seeks to abolish the income support bonus, a tax-free payment for over-50s on the Newstart allowance to help them when they might have an unforeseen medical cost or perhaps need to replace a fridge or repair their car. It is a modest payment of $210 extra each year for singles and $350 extra each year for couples, but this lot over there are taking it away. Another safety net for the vulnerable is being removed. The abolition of this payment is opposed by the National Seniors organisation. We have also just seen the failure of a motion to disallow the FoFA regulations. What we saw there was a government
continuing to ignore daily the advice of almost every consumer group in the country, including National Seniors. So I say to any seniors who might be listening: this government is no friend of the seniors of Australia. Look at your bank balances. Look at what they are taking away from you every single day. Look at the litany of broken promises. They promised you are lot before the election but, day after day, they are ripping away the protections. They are ripping away modest assistance and continuing to reveal an arrogance and indifference to the people they promised to support. I guess we could call it an engagement by this government in reverse class warfare.

Repealing the MRRT is a retrograde policy in so many ways, and I will not even have sufficient time to fully explore what they are doing by taking away the low-income superannuation contribution. Instead of looking after the 3.6 million workers, 2.1 million of whom are women, mainly mothers working part time in their careers for whom an additional $500 of super each year would be of substantial benefit as they save for retirement, what we see is the government taking away that assistance from the most disadvantaged. Instead, what they choose to do is support tax cuts for the superannuation of the 16,000 people who are Australia's most wealthy superannuants.

My speech has, I hope, explored the range of ways in which this government is determined to take away opportunity from Australia; to sneakily, negatively and miserly view Australia's potential by taking away funding from families for health, education and welfare, from pensioners and students, from superannuants, from children who are going to school. In so many ways this is a government that reveals its very worst beliefs every day.

Senator WRIGHT (South Australia) (17:48): Once again we stand here having another go at repealing the MRRT, the minerals resource rent tax, or mining tax, as everybody knows it. Once again we have the interesting spectacle of a government telling us, on the one hand, that they have handed down a stinking budget because we have to have 'structural reform'. That was certainly a phrase that was being used over and over again; that was certainly one of the speaking notes that the Treasurer had at the time of introducing the budget, as did the finance minister. We kept hearing 'Australia needs structural reform'. That was an excuse, I suppose, to explain a budget that a huge proportion of Australians, including coalition voters, know and understand is fundamentally unfair and goes against the idea that in Australia we all pay according to our ability to pay, that we look after the most disadvantaged in our society and do not expect them to make the greatest contribution to the finances of the country when other people who are receiving much higher incomes and doing much better from the way the economy is structured get off scot-free.

So we have this government constantly telling us that we have to have structural reform. Many of us can see that we need to have a budgetary system in this country where our revenue is adequate to meet the needs that as a community, as a society, we agree must be met. They are needs such as having a good quality education system so that no matter where anyone lives in Australia, no matter where a child grows up, no matter the background of their family, no matter the income of their parents, no matter the social background of the child and no matter in what region they live, we can guarantee they will receive a high-quality education. That is a need that we should be able to meet as a decent, civilised community and one of the most wealthy societies on the planet. So there is structural reform to have revenue that can meet that need.
We also have an understanding that in Australia we have a system of health care that does not penalise those people who do not have as many means as others. Traditionally in Australia we have not had a system where if you are poor you cannot get health care and if you are rich you can buy the best quality care in the world. We have had an agreement—a social contract, if you like—that we will look after everyone in Australia and we will have a reasonable understanding and security that if we have health needs they can be met. There are other areas of the social contract in Australia. We have traditionally agreed that if people have mental health needs they will be able to be met and they will be looked after. If people through some accident or issue that has occurred, whether it is a disability or they have become unemployed, they will be looked after. We will make sure that nobody in Australia starves, that people have opportunities to participate in the community and the workforce. Of course, if we are going to have that quality, if we are going to have that civilised structure in this society, we have to be able to pay for it, so certainly the Australian Greens say that we need to look at the revenue streams that are available to meet those needs that we have as a community. That is the sort of structural reform that the Australian Greens are looking at.

We have a government saying that we need structural reform. Yet, if we look at what is happening across the legislative agenda this week, we have the government intent on repealing a price on pollution which is actually bringing in revenue but they are determined to repeal that. And here we are today discussing the repeal of legislation that could actually be bringing in revenue for the country to pay for those other needs that we have. We know the result of repealing this act, if they are able to do so, means taking funding away from other important aspects of Australian services, and I will go into those in a minute.

What we have here is a government that is not really saying we need structural reform. This government is saying we need to make sure that we look after some people in society, and those people would be the ‘expensive others’. That is what we have seen in the budget. It is illogical. What we are being asked to do today is illogical. It is a short-sighted government that is basically looking after those who are already doing very well from the way our economy is structured.

The Australian Greens supported the Henry tax review and the recommendations from that review, which included imposing a tax on mining. We particularly welcomed the tax in its original inception because it was designed to properly tax the large profits that were being made by mining companies on the basis of mining resources, which are finite—once mined, they will never be there again—and which are shared. They are owned and shared by the whole Australian population. Along with the Henry tax review recommendations, we thought it was pretty logical that if there are particular organisations that are going to make a lot of money out of mining and exploiting these resources, then it is only fair that a fair share of the profits from those resources come back to the Australian population to meet those needs—the health, the education, the mental health needs that I talked about a bit earlier.

We did not get the original mining tax—the resource super profits tax that was designed to make sure that those large profits were properly taxed—because we had confected hysteria from the mining industry. We had a sense that for some reason the mining companies here would decamp to some other nirvana, that they would go somewhere else where they could mine and exploit the resources there without any kinds of constraints at all. There was this threat of sovereign risk, which I do not think most people ever took seriously. Instead of that,
we had this huge advertising campaign with a huge amount of money invested into it to protect those who had an interest in keeping the status quo. Ultimately that tax was not pursued, so we ended up with this mining resource rent tax—MRRT—which was a pallid version of the original tax as envisaged by the Henry review. The Greens ultimately supported the legislation that become the act that is intended to be repealed under this particular bill, but we have always said that it should be strengthened. The mining resource rent tax should be strengthened rather than be abolished.

It is clear experts consider that a mining tax is vital for properly distributing the national gains that are associated with mining because this country's finite resources do belong to all of us. We do know they are finite and we do know they have been there for aeons, but once dug up and shipped away they are gone forever; they are no longer for our benefit and they are no longer for the benefit of future Australians. And the wealth that is inherent in those resources is gone as well, so it is absolutely imperative when we do exploit those resources that there is a lasting impact or benefit for the Australian people. Instead of repealing the mining tax, the Australian Greens say the government should broaden it to include all minerals. This particular bill advantages those companies that do not mine the resources that are currently being taxed. Instead of strengthening the MRRT, the government is proposing this repeal bill which will then further advantage big companies. Companies like BHP Billiton, Rio Tinto and Xstrata—worth more than $200 billion together—will be the ones who will benefit from the passage of this repeal bill.

Who won't benefit? Who will suffer? Who will pay the price of this determination to repeal a somewhat inadequate attempt to gain income or tax—which is at least an attempt to gain something—from the shared resources that we have? Who will pay the price? That will be millions of households, up to 10 million workers and hundreds of thousands of small businesses. The losers from this package are workers with compulsory superannuation contributions, households with children, and small businesses. Rather than cutting or reducing the taxes paid by a small number of exceedingly wealthy mining companies, most of whom are foreign owned—most of those profits ultimately end up overseas in the hands of overseas investors rather than coming back to benefit Australians who owned the resources in the first place—the government should be enhancing the tax to raise revenue.

An optimal tax system in Australia would ensure that Australians can share fairly in the rich mineral wealth that we commonly own. But this legislation is a shadow of what it previously was, and the repeal will mean that it will no longer exist at all. The current MRRT contains an effective tax rate of only 22½ per cent rather than the 40 per cent that was originally proposed. As well as that, it currently fails to tax profits on gold, silver, diamonds, uranium, rare earths, nickel, copper, zinc and bauxite—and that is an omission. As I have said, isn't it ironic that those who argued about the inadequacy of the current act, which is being sought to be repealed, are very much those who were part of the campaign to weaken the original manifestation of this act. On the one hand the coalition were never in favour of having a fair tax on our shared mineral resources. On the other hand, when ultimately backing the companies that were running the campaign against the original bill—it was weakened; the minerals resource rent tax has not brought in as much revenue as it should have—they are now decrying the fact that it does not bring in enough revenue. I find that really ironic.
I make the point again: our mineral resources are finite, non-renewable and can only be dug up once. The resulting wealth that we do have from exploiting those resources must be invested in Australia's future: in education, in health and in industries that will transition us into the economy of the future. We remain, in the Australian Greens, unchanged in our position that the mining tax should be strengthened rather than be abolished. We should be investing the revenue in things that are genuine and needs based, things like true education reform so that we can guarantee that every child in Australia, no matter where they live and no matter what their background, can have a high quality education. And that then is an investment in future productivity and our future economy as well as investing in the social cohesion that comes about through people being able to reach their true potential in a community.

We should also be investing in a fairer legal system. We should also be transforming the framework for mental health service delivery in Australia, which is clearly very inadequate to meet the needs of the many, many Australians who suffer poor mental health.

I am going to talk a bit about education. Imagine what we could do if we had structural reform so that those in Australia who can afford to pay more pay their fair share. We could have great schools for every kid. The Gonski review of school funding told us so much about how we could move from the current funding system to one where every child could have access to a high-quality education. Despite their promises and supposedly being on a unit ticket on school funding before the federal election, we have the coalition government, on the basis of not being able to afford to pay for the investment that the Gonski review indicated that we absolutely need in Australia, ripping the fifth and sixth years of the Gonski funding out of the budget. And why? Because we do not have enough revenue. And yet here we have a government that is deliberately wanting to repeal a source of revenue that is arguably fair because it is on the basis of shared resources. The bulk of the funding under the fifth and sixth years of the Gonski plan was set to flow to schools in those years. Many schools will never reach the school resource standard that was designed to bring every child up to the possibility of having an education that would allow them to reach their potential. This is so much more than just a broken promise that was made by the coalition before the election. It shattered the faith of many people who had actually pinned their hopes on the idea that we could transform what is an inequitable funding system—and has been for some time in Australia—and what that would mean for their students, for their kids and for their schools.

The futures of our young people depend on the kinds of decisions that we make now. Being in government means having to make decisions and having a budget means having to make decisions about how you raise revenue and what you do with the revenue that you raise. A country and a government can be judged by the values that are inherent in that decision-making process. Here we have a government that is clearly saying: 'We do not believe that those who are making large profits from our shared resources should bear their fair share to make sure that those other needs in the community are met: the ability to go to a doctor when you need to without having to make a co-contribution, the ability to go to a school and have a good education. We do not believe that those things are valuable. They are not decisions that we are going to make, and we are not going to facilitate those kinds of services.' This government will be judged harshly, and they are being judged harshly now by the Australian
population. But they will also be judged harshly by future Australians for the implications that flow on from the decisions that they are making today.

Another area of funding that could use proper revenue raised under structural reform would be for legal affairs. There is no doubt that the state of access to justice in Australia is in crisis. There is clear evidence across Australia that many, many people are failed by a costly and inaccessible legal system. Increasing numbers of Australians are not able to get their problems resolved and their legal needs met in Australia's legal system at the moment. Justice is very often out of reach for some of our most vulnerable Australians including Aboriginal and Torres Strait Islander Australians, unemployed people, single parents and people on low incomes. As well as that, increasingly, there are people on middle incomes who are just not able to canvass the possibility of having their legal issues and their problems resolved because the law is out of reach of those people.

We have the Attorney-General citing a limited funding bucket—so we have to make hard decisions—as the reason that he wants to restrict community legal centres and other organisations providing legal assistance to vulnerable and disadvantaged Australians. He wants them to move away from advocacy and instead to look at systemic issues and to focus only on so-called front-line services. It is a budget measure because he acknowledges that there is not sufficient revenue coming into the budget to meet those important legal needs. Of course there is great economic efficiency in those experts who are dealing at the coalface with those sorts of particular systemic issues being able to advocate and bring their experience and their knowledge to bear for law reform rather than dealing on a one-to-one basis with people. So that is a particularly effective and efficient way to fight injustice and ensure that we have proper law reform in Australia. But, because of the government's failure, again, to have true structural reform to make sure that we actually have revenue coming from appropriate places in Australia—like reducing fossil fuel subsidies, like having proper and effective mining taxes on the profits that people make from exploiting Australia's resources—the Attorney-General says we do not have adequate funding to serve the needs of the most disadvantaged Australians. As a result, we have great legal injustice occurring every day.

Of course, restricting an organisations ability to do advocacy is not only an economic decision but also always ideological. In fact, it is a decision where we do not necessarily want to hear the message that there needs to be law reform if that is something that the government is not willing to take up. It is much easier to try to silence those critics and those who say we do need to have systemic change in Australia to make sure that some people are not on a daily basis affected badly by laws that might benefit those who are better off in Australia. So it is actually an ideological position as well.

We have Indigenous Australians in Australia who are grossly over represented in prison populations, and the organisations providing their legal assistance are also being defunded and having reduced funding. Indeed, I met with representatives of Aboriginal family violence prevention programs, those who give advice and assistance to some of the most vulnerable Australians in Aboriginal and Torres Strait Islander communities, who are struggling with the fact that they will be losing employees from their workplaces. In some cases they will be closing services and they will not be able to deliver the services that they need to deliver. Indeed, it is ludicrous to suggest that front-line services will not be affected, because very clearly from the stories that I have heard today, they will be individual people on the ground
who will bear the brunt of that. There will be, arguably, more people who will be subject to family violence and there will certainly be more Aboriginal Australians incarcerated. It is already a shameful record in Australia. We, arguably, have some of the most imprisoned peoples in the world.

We also have the defunding of environmental defender's offices across Australia—again, because of the argument that there isn't sufficient money. But again, of course, we know that that is ideological.

I stand here to oppose the repeal of the MRRT—the mining tax—because I say that we need to recognise that we do need to have adequate revenue to meet the needs of the Australian community. It is hard to argue that it is not appropriate to have a fair tax, with wealthy mining companies paying their fair share for our shared finite resources. (Time expired)

Debate adjourned.

Ordered that the resumption of the debate be made an order of the day for a later hour.

Clean Energy Legislation (Carbon Tax Repeal) Bill 2014
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2014
True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2014
Customs Tariff Amendment (Carbon Tax Repeal) Bill 2014
Excise Tariff Amendment (Carbon Tax Repeal) Bill 2014
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2014
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2014

Consideration of House of Representatives Message

Messages received from the House of Representatives forwarding the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014 and seven related bills for concurrence.

First Reading

Bills received from the House of Representatives.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (18:09): I move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (18:09): I table a revised explanatory memorandum
relating to the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014 and seven related bills and move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

CLEAN ENERGY LEGISLATION (CARBON TAX REPEAL) BILL 2014
OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (IMPORT LEVY) AMENDMENT (CARBON TAX REPEAL) BILL 2014
OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (MANUFACTURE LEVY) AMENDMENT (CARBON TAX REPEAL) BILL 2014
TRUE UP SHORTFALL LEVY (GENERAL) (CARBON TAX REPEAL) BILL 2014
TRUE UP SHORTFALL LEVY (EXCISE) (CARBON TAX REPEAL) BILL 2014
CUSTOMS TARIFF AMENDMENT (CARBON TAX REPEAL) BILL 2014
EXCISE TARIFF AMENDMENT (CARBON TAX REPEAL) BILL 2014
OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (IMPORT LEVY) (TRANSITIONAL PROVISIONS) BILL 2014

Today the Government introduces the
- the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014;
- the Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2014;
- the Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2014;
- the True Up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2014;
- the True Up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2014;
- the Customs Tariff Amendment (Carbon Tax Repeal) Bill 2014;
- the Excise Tariff Amendment (Carbon Tax Repeal) Bill 2014; and

The Australian people have already debated the carbon tax and they decided ten months ago on 7 September 2013 that they did not want:
- higher electricity prices;
- higher gas prices;
- higher travel costs; or
- higher food costs.

The Australian people said they did not want the carbon tax.

The carbon tax increased the costs of everything it touched.

It punishes households, business, schools, hospitals, nursing homes, charities, churches, council swimming pools and community centres.

It hits each and every group and individual who use energy—and that was always its goal: to make electricity and gas more expensive.
And that's why the Australian people voted to get rid of it.

The bills honour the Coalition's commitment to the Australian people to scrap this toxic tax.

It is now up to this Parliament to show that it has listened to the Australian people.

The bills today ensure that all elements of the carbon tax are abolished.

The main bill removes the carbon tax, and implements new powers for the Australian Competition and Consumer Commission to ensure that cost savings are passed on.

The other bills remove the imposition of the carbon tax on liquid fuels and synthetic greenhouse gases.

The bills also provide for the transitional arrangements to ensure a smooth transition out of the carbon tax in all its forms, and give the Clean Energy Regulator, the Australian Taxation Office, the Australian Customs and Border Protection Service and the Department of the Environment the powers they need to do this.

A cornerstone of the Government's plan for a stronger economy built on lower taxes, less regulation and stronger businesses is the repeal of the carbon tax.

The first impact of the repeal of the carbon tax will be on households whose overall costs will fall around $550 a year on average.

Electricity bills will be around $200 lower this financial year without the carbon tax.

Gas bills will be around $70 lower this financial year without the carbon tax.

These are real savings that will help family budgets.

Only last week, we heard from a number of new Senators on the impact of the carbon tax on pensioners, on the cost of heating homes, on farmers' incomes and small business costs.

The people who voted for those Senators expect them to act.

It is disappointing that families and small businesses are still paying $11 million a day in higher electricity prices due to the carbon tax.

Once the carbon tax is repealed, there will be savings to the family budgets with lower electricity and gas prices.

And these savings are confirmed.

In Queensland, the Queensland Competition Authority has said that typical household electricity bills are expected to fall by 8.5 per cent.

In NSW, the Independent Pricing and Regulatory Tribunal has said that gas prices will be up to 9.2 per cent lower without the carbon tax.

In Tasmania, the Office of the Tasmanian Economic Regulator has said that electricity prices will be 7.8 per cent lower with the removal of the carbon tax.

In the ACT, the Independent Competition and Regulatory Commission has said that electricity prices will fall by 11.6 per cent without the carbon tax.

Prices for groceries, for household items and for services will also fall because the price of power is embedded in every price in our economy.

The carbon tax will go, but the carbon tax compensation will stay so that every Australian should be better off.

The Australian Competition and Consumer Commission has a wide-ranging arsenal of compliance powers to ensure businesses do not mislead their customers about the impacts of the carbon tax repeal.

It has received $10 million in additional funding to take necessary enforcement action, and also to inform businesses about their obligations and customers about their rights.
Under the original version of the repeal bills penalties of up to $1.1 million for corporations and $220,000 for individuals will apply. These are retained.

The ACCC has already issued over 560 requests for information from companies across the economy including from electricity and gas, refrigerants and aviation.

As agreed with the Palmer United Party, I foreshadow and I will move amendments to supplement the Commission's ability to ensure that consumers benefit from the repeal of the carbon tax. The changes included in the bills:

- Ensure suppliers of regulated goods—electricity, natural gas and synthetic greenhouse gases—must pass on all cost savings.
- Impose a penalty on electricity and natural gas suppliers equal to 250 per cent of any cost savings they do not pass on.
- Require electricity and natural gas retailers and bulk importers of synthetic greenhouse gases to inform the ACCC and customers about how they are passing on cost savings amount of the savings.

The changes to the main repeal bill balance new compliance obligations with the need to ensure that household and business customers benefit.

Businesses should be able to explain to customers how changes in their costs are flowing through to changes in their prices.

For the purpose of the Acts Interpretation Act 1901 I confirm that the definition of electricity retailer is limited to electricity retailers and electricity producers selling electricity into a wholesale electricity markets or to a retailer.

The cost of synthetic greenhouse gases was significantly impacted by the carbon tax. Bulk importers of synthetic greenhouse gas defined under s13A(2)(c) of the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 are covered by the new requirements. To minimise the cost of compliance small imports of synthetic greenhouse gases such as imports of synthetic greenhouse gas contained in equipment such as fridges, cars and air-conditioners are not covered.

The new provisions are confined to those sectors. The bill already provides flexibility for the ACCC to expand the range of sectors covered, should significant concerns arise.

The Government is confident that all businesses will do the right thing and pass on all the savings relating to carbon tax repeal.

The Government is aware that major electricity and gas retailers are already committed to providing this information to households and businesses on bills, inserts and through websites anyway.

The carbon tax has been a $15 billion hit on the economy over two years.

It is a $15 billion hit on jobs, a $15 billion burden on investment and a $15 billion slug to families that we just don't need.

These bills get rid of it.

Repealing the Carbon Tax will reduce the cost of living, make jobs more secure and improve the competitive position of our country.

The Australian people have already voted on this carbon tax repeal bill.

They are now waiting for the Members and Senators to honour their commitments to abolish the tax and get the budget back into surplus.

As the Prime Minister has said previously to the House 'these bills are the Government's bill to reduce the Australian people's bills' and so the Government commends these bills to Parliament.

Ordered that further consideration of the second reading of these bills be adjourned to the first sitting day of the next period of sittings, in accordance with standing order 111
Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (18:10): I seek leave to move a motion to vary the hours of meeting and routine of business for this week.

Leave granted.

Senator FIFIELD: I move the motion as circulated in the chamber:

That:

(a) the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014 and 7 related bills be called on immediately, may be taken together through their remaining stages and have precedence over all government business until determined;

(b) on Tuesday, 15 July 2014:

(i) the hours of meeting shall be 12.30 pm to 6.50 pm and 7.30 pm to adjournment,

(ii) the routine of business from 7.30 pm shall be government business only, and

(iii) the question for the adjournment of the Senate shall be proposed at 9.50 pm; and

(c) on Thursday, 17 July 2014:

(i) the hours of meeting shall be 9.30 am to 6.50 pm and 7.30 pm to adjournment,

(ii) consideration of general business private senators’ bills under temporary order 57(1)(d)(ia) shall not be proceeded with and that government business shall have precedence for 2 hours and 20 minutes,

(iii) consideration of general business and consideration of committee reports, government responses and Auditor-General’s reports under standing order 62(1) and (2) shall not be proceeded with,

(iv) the routine of business from 12.45 pm till not later than 2 pm, and from not later than 4.30 pm shall be government business only;

(v) divisions may take place after 4.30 pm, and

(vi) if the Senate is sitting at 11 pm, the sitting of the Senate shall be suspended till 9 am on Friday, 18 July 2014;

(d) on each calendar day after Thursday, 17 July 2014 until the Senate has finally considered the bills listed below, including any messages from the House of Representatives:

- Clean Energy Legislation (Carbon Tax Repeal) Bill 2014 and 7 related bills
- Asset Recycling Fund Bill 2014
- Asset Recycling Fund (Consequential Amendments) Bill 2014
- Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2]
- Qantas Sale Amendment Bill 2014
- Land Transport Infrastructure Amendment Bill 2014,

- the hours of meeting shall be 9 am to 6.30 pm and 7.30 pm to 11 pm and if the Senate is still sitting at 11 pm, the sitting of the Senate be suspended till 9 am the following day; and

(e) the Senate shall adjourn after it has finally considered the bills listed in paragraph (d), or a motion for the adjournment is moved by a minister, whichever is the earlier.

In doing so, for those who may be tuned in to the proceedings of this place, I should indicate that the motion that is circulated is a motion to lay out the plan of government business for the
remainder of this week. It does seek to extend hours tonight and on Thursday night. It also
takes advantage of what would usually be private senator's bill time on Thursday morning and
also what would be a general business time on Thursday afternoon. I acknowledge that that is
time that is usually that of non-government parties—in this case, that of the opposition.

The motion also provides for the Senate to sit beyond Thursday until such time as the
carbon tax repeal package of bills is dealt with. In addition, the Asset Recycling Fund Bill
2014, the Asset Recycling Fund (Consequential Amendments) Bill 2014, the Minerals
Resource Rent Tax Repeal and Other Measures Bill 2013 [No.2], the Qantas Sale
Amendment Bill and also the Land Transport Infrastructure Amendment Bill 2014.

Obviously the government has had as its prime objective in this first sitting fortnight of the
new Senate the successful passage of the carbon tax repeal package of bills, because it seeks
to give effect to an election commitment—a fundamental and solemn commitment—that the
coalition made at the last election. The coalition government has, it would be fair to say, felt a
little frustrated at times over the previous week in giving effect to that the election
commitment. I think in the first week of the new Senate there are many things from across the
chamber that perhaps should be let go through to the keeper.

I do want to indicate that chamber management is not just the responsibility of the
government; it is, in fact, a collective responsibility of this place. It is even more so the case
that where the governing party/ies in this place—the Liberal and National parties—do not
have a majority in our own right. I think that places a particular onus on government in its
dealings with other parties in this place, but I also think it puts a particular onus on all parties
to make sure that this place is able to effectively conduct the people's business. Chamber
management is particularly and additionally a shared responsibility between the two parties
that aspire to govern—the Liberal and National parties together as one group and the
Australian Labor Party as the other group. I think there have been on occasions in this place in
the preceding week when some opposition party has lost focus on the bigger picture, which is
really giving effect to the people's business.

I did indicate this morning when I was moving the rearrangement of business motion that
there had been a leaders, managers, whips and cross-party meeting convened by Senator
Abetz, the Leader of the Government in the Senate, in an effort to bring together all parties
for a common purpose. It was not to bring all parties together on the outcome of the carbon
tax repeal legislation, because there are different and well-known positions on that package of
legislation, but to bring all the parties in this place together as far as possible in terms of the
procedural arrangements for this week. We may have different positions—and obviously we
strongly disagree with the Australian Labor Party and their position on the carbon tax—but
we tried to bring parties together as far as possible in order to have a common procedural
approach to what is a matter of great national importance and interest: the repeal of the carbon
tax legislation.

I want to acknowledge that the motion I have moved does incorporate many propositions
from colleagues from across the chamber—opposition, crossbench and Independent senators.
We have worked very hard to seek to accommodate the respective interests of different
groupings in this chamber in this motion. I want to acknowledge the contribution and
assistance of the various parties in this place, including the opposition, to the formation of this
motion. I commend this motion to the chamber. I look forward to having, I hope,
overwhelming support for this motion so we can get on with the people's business in an orderly way and, certainly from the point of view of the government, seek to give effect to the will of the people as expressed at the last election and to at long last see the repeal of the carbon tax. I say to colleagues opposite that it is not too late to think again about your position in relation to the carbon tax. I thank the chamber for its time.

Senator MOORE (Queensland) (18:16): As the Manager of Government Business in the Senate has just pointed out, chamber management relies on cooperation amongst all people in this place but, most particularly, the responsibility for maintaining the process in this place must lie with the government. We have always said that. We have worked very hard to facilitate an effective operation of the Senate.

As we all know, this is the first session of the new Senate. We are not in the last week of the Senate moving towards the conclusion of business; we are in the first fortnight. It has been an extraordinary first fortnight. I do not believe—and we have been here for a fair time now—I have seen so many procedural motions coming before the Senate in a couple of days as we have seen in the last couple of days in this place.

We have facilitated the arrangements that are in the motion that the Manager of Government Business has moved. There has been considerable cooperation extended in this process. As the manager has explained, we have worked towards extended hours on a couple of nights of the session and we have given up private senators’ business and our general business in the afternoon to allow appropriate consideration of a range of bills.

It still is a worry that there is a list of bills the government is wanting to put through in the short time that we have. We believe that every senator must have the right to contribute to debate on important pieces of legislation. There is a considerable list here that the government expects it will be able to fulfil in the next couple of days with the extended hours. It is important that with any agreement it is understood that there is still an opportunity for senators in this place to appropriately participate in the full process of considering legislation, including the committee stage.

We have a range of bills here, not only the group of bills around carbon, which people have been waiting on expectantly now for a number of days—and there will continue to be some debate in this area. We are also doing the Asset Recycling Fund Bill and we will go back to the Minerals Resource Rent Tax Repeal and Other Measures Bill, where I know there will be amendments moved. I know senators in this place have deep interest in being involved in effective discussion around the Qantas Sale Amendment Bill and the Land Transport Infrastructure Amendment Bill.

We are more than happy to cooperate to ensure that the Senate does the job that we are here to do, which is to consider legislation. We do not believe there is any opportunity here for rushing through debate. We believe it has to continue in good faith. We are aware that the expectation is that the House will be sitting, waiting to respond to any action that happens in this place. This is a meaningful session of our Senate. We have an expectation to do our work.

Over the last couple of days it has been almost chaotic wondering what will be on the agenda. The red produced each morning has been no help at all because we changed it with abandon. We now have an extended hours motion before the Senate. It includes the things that the Manager of Government Business pointed out—extended hours and the legislation
moving into the future. We will be doing our part to ensure we do our job in the Senate to consider the legislation. There will be no rubber-stamping going on here. It is a full and I think necessary part of our job to look at this legislation as we move to complete the first session of the new Senate—hopefully, without any further procedural motions that divert from the business of the Senate.

Senator MILNE (Tasmania—Leader of the Australian Greens) (18:20): The Greens totally oppose extended sitting hours to force through the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014. We do not believe we should be here in these two weeks abandoning action on global warming. I understand the Palmer United Party has reached an agreement with the government so the numbers exist to extend the sitting hours and force this through the parliament before we rise. It is a tragic outcome for Australia.

I totally reject as well Senator Fifield's assertion that the will of the people is reflected in this motion. I do not think the Australian people necessarily want the Qantas Sale Amendment Bill, which makes provisions to sell Qantas. I do not think people thought they were voting for the Asset Recycling Fund Bill—the privatise public assets bill. This is the Abbott government's agenda. It is not the will of the people. It is the Abbott government's agenda that is being put here and pushed through this parliament.

We are going to see the government, with the support of the Palmer United Party, try and repeal the mining tax. This week, after we have been absolutely lambasted by the government with the notion that there is a budget emergency, what are they doing? They are putting up legislation that will stop the nation receiving more than $20 billion worth of revenue. More than $20 billion will be stopped from coming into government coffers. Where is it going? It is going into the pockets of the big miners. Where is the money from the mining tax going? It is staying in the pockets of the big miners. They will not have to pay even though they have made record profits. Who will benefit as a result of abolishing the carbon price? The big polluters will benefit. Mr Palmer's own companies will benefit. Queensland Nickel will benefit. Not only that, 6c a litre extra will go back to the big miners. They must be sitting there, with their financial officers, smiling ear to ear.

But what the Australian community did not realise when they listened to the Abbott government talking about rejecting $18 billion coming into the public coffers is that the Australian people would have that money taken out of their pockets instead. So every time someone is confronted with the notion of a co-payment at the doctor, why is that? It is because Gina Rinehart has preference for the money to go back to her rather than to the Australian people. There is no budget emergency if a government can stand up and say it does not need $18 billion. It does not need it. It does not want it. Miners can have it. Big polluters can have it. The polluter pays principle is gone. The community can pay. The unemployed can pay. The sick can pay. The pensioners can pay. Everyone else can pay except the big end of town, and that is what is going on here.

So I totally reject this notional view from Senator Fifield that we are being asked to extend sitting hours to do the people's will. No, we are being asked to extend sitting hours so that the Abbott government, with the support of the Palmer United Party, can stop the big polluters having to pay for their pollution and can give back to the miners so that they do not have to pay any mining tax. And we will be sitting here with the Qantas Sale Amendment Bill and,
just to add to the joy of it, the bill regarding so-called asset recycling, or rather the
government's agenda to privatise assets.

The Greens are not going to have a bar of it. We did not want extended sitting hours, we do not support extended sitting hours, nor do we support having all these bills dealt with before we leave the Senate this week. I recognise the government has stitched up the numbers to be able to do this. But I want to say in the strongest possible terms this is not our agenda and we do not support it. I would like to hear from Senator Fifield, since we are being forced to sit here to deal with the government's agenda, on whether the House of Representatives is going to be held back so that it can deal with any amendments that come from the Senate. I would like to make sure that we get an undertaking that the House of Representatives will be held back to deal with this and we are not just being made to sit here to deliver on the government's agenda while the House of Representatives goes home.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (18:26): I thank colleagues for their contributions to the debate on this motion and I also thank the chamber for granting leave to move this motion. This is an important moment for the nation. As these are matters which were the subject of significant debate and public discussion in the lead-up to an election and about which the Australian public cast a verdict at the ballot box, it is very important that they are allowed to be resolved, that there is debate and that we do reach a conclusion. All the government has sought to do over the last week and will seek to do this week is bring to a conclusion the repeal of the carbon tax, a matter which the public voted on at the election.

Senator Milne asked me a question in relation to the other place, and I can indicate that the other place will do what they need to do in response to the decisions that are taken in the Senate. I thank the chamber for facilitating this motion to manage proceedings for the remainder of the week. Those of us on this side of the chamber and a number of crossbench senators—indeed, I believe a majority of senators in this place—believe that the carbon tax should be repealed. That will be what results by the end of this week according to the indications of a majority of senators. On behalf of the government, I look forward very much to that happening so Australians can receive some cost-of-living relief. I should also remind colleagues that the carbon tax compensation which was put in place by the previous government will be kept by this government. So there will be real benefits for Australians and their household budgets as a result of the repeal of the carbon tax. In conclusion, I thank colleagues for their cooperation with this motion.

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

The Senate divided [18:33]

(The Acting Deputy President—Senator Marshall)

Ayes ......................48
Noes ......................10
Majority .................38

AYES

Back, CJBernardi, C
Bilyk, CLBullock, J.W.
Bushby, DC Cameron, DN
Tuesday, 15 July 2014  SENATE  5003

AYES
Canavan, M.J.  Carr, KJ
Cash, MC  Colbeck, R
Dastyari, S  Day, R.J.
Edwards, S  Fawcett, DJ
Fierravanti-Wells, C  Fifield, MP
Gallacher, AM  Heffernan, W
Johnston, D  Ketter, CR
Lambie, J  Lazarus, GP
Leyonhjelm, DE  Lines, S
Ludwig, JW  Lundy, KA
Macdonald, ID  Madigan, JJ
Marshall, GM  McEwen, A
McGrath, J  McKenzie, B
McLucas, J  Moore, CM
Muir, R  Nash, F
O’Neill, DM  O’Sullivan, B
Peris, N  Polley, H
Ruston, A (teller)  Seselja, Z
Singh, LM  Smodinos, A
Smith, D  Sterle, G
Wang, Z  Xenophon, N

NOES
Di Natale, R  Hanson-Young, SC
Ludlam, S  Milne, C
Rhiannon, L  Rice, J
Siewert, R (teller)  Waters, LJ
Whish-Wilson, PS  Wright, PL

Question agreed to.

BILLS
Clean Energy Legislation (Carbon Tax Repeal) Bill 2014
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2014
True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2014
Customs Tariff Amendment (Carbon Tax Repeal) Bill 2014
Excise Tariff Amendment (Carbon Tax Repeal) Bill 2014
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2014
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2014
Second Reading

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

Senator SINGH (Tasmania) (18:36): I rise to speak, once again, to the second reading debate of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014. I do so, of course, as the shadow parliamentary secretary for the environment, climate change and water. The carbon tax repeal bills have returned to the Senate yet again, the bills that clear the decks for the implementation of the coalition's climate change policy vacuum. I imagine that every government senator has every digit crossed that this time they have got the simple things right enough to get their repeal legislation through this place. The last thing we need in the Senate is another week like last week, where the hubris of a government that is not up to governing was toe-curlingly clear for all to see. In the Senate last week, like a barrister badgering their own witness, the government filibustered its own guillotine. Outside, in the Senate lobby, it was Pythonesque to say the least. There were frantic whispers, dodgy deals, accusations, counter-accusations, tantrums and tremulous phone calls to unelected powerbrokers as the government ship of state went down like the Titanic. Nonetheless, the bills have been raised from the depths of a short trip to the other place to have some amendments tacked onto them.

As we consider our votes on these bills, I say to my Senate colleagues that, while your votes may be easily made today, it is our grandchildren who will pay its full price into the future. If senators want real action on climate change, if they want to reduce the economic and environmental price that will be paid by our descendants, they should vote for Labor's amendments in the Senate which will deliver an emissions trading scheme. This vote will be a major part of the legacy of all of you. We will see how history judges the efforts of government senators and all of those who vote for the government's repeal legislation. History will remember how we vote in this place today—or tomorrow or whenever the vote does come about—and why, over the next year or two, prices will refuse to come down on absolutely everything, much as the Prime Minister has outlined.

Remember the Prime Minister assuring Australian households that the carbon tax and the carbon pricing mechanism would force prices up and up and up on absolutely everything? He then promised, as he had to, that repealing the carbon tax would force prices down and down and down on absolutely everything. That was not just electricity and gas, but everything—groceries, airfares and house prices. 'Absolutely everything' was his promise. Remember the Prime Minister's campaign of fear and hyperbole, his sloganeering tour around the country endlessly repeating clumsy metaphors and foolish predictions? He promised that the carbon tax would be 'a cobra strike to the economy' and 'a wrecking ball'. Tumbleweed would blow down the main streets of Whyalla and Gladstone, towns destroyed by the carbon tax—so the Prime Minister said. As Whyalla and Gladstone mirror the economy in continuing to go from strength to strength, does the Prime Minister feel as foolish now as he sounded then? The country now understands the value the Prime Minister places on his promises—less than the correction fluid that covers them up.

We saw last week the release of a UN report highlighting how major emitting countries can cut their emissions and increase economic growth, not just increasing growth but tripling economic output. The Pathways to decarbonisation interim report, released by Ban Ki-moon on 9 July, shows that not only can the world avoid a catastrophic two degree global warming scenario but we can all benefit from decarbonising our economy. According to the report
Australia can deliver a 71 per cent reduction in carbon pollution by 2050 while growing the economy by 150 per cent. The numbers for the US show an 85 per cent reduction while GDP almost doubles. Over the past century Australia has built for itself a deserved reputation as an honest nation, a brave nation, a nation that accepts global leadership—indeed, seeks such leadership—when it is needed. We are a democratic nation prepared to make sacrifices to protect humanity's greater good. Australian leadership is needed now. But leadership scares the coalition too much. They will let others lead, let others lift. Instead of seeking responsibility for global leadership on climate change, they lean away from it.

Global warming will cost the world five per cent of GDP as a minimum. It is already costing us. Addressing it will cost us one to two per cent of our global GDP. If Australians try but make little difference—maybe only a small difference—we will have led, we will have made that difference for future generations. But what if we back renewable energy and find ourselves at the front of a global renewable industry that makes a big difference, makes the difference—an industry reliant on innovation and research and set up for Australia. Australia, of course, has a lot of sun, tides, wind and water—and a lot of scientists and skilled workers and, therefore, a lot of innovation and a lot of technological expertise. Australian researchers, scientists and investors will be leading innovation and creating economic growth by developing new energy technology and boosting energy efficiency.

That is precisely what the Clean Energy Finance Corporation and the Australian Renewable Energy Agency are already achieving—instututions that are part of the fabric of what Labor created in our clean energy package. These are bodies Labor established and the government wants to destroy. But they have been saved by the good sense of the Labor Party, supported by some on the crossbenches. I urge the Senate to keep using its good sense and to vote for Labor's amendment to move the country to an immediate emissions trading scheme, as Bill Shorten, the Leader of the Opposition, proposed yesterday.

Labor was right to put climate change at the front of the political agenda. We are right to support an emissions trading scheme and we are right to support renewable energy. Labor will always fight for the right policy for Australia. We are right now; we will be right in 2050 and in 100 years.

An emissions trading scheme guarantees the lowest cost for Australian businesses and families. An emissions trading scheme delivers business certainty and it positions Australia so as to maximise economic benefit from the growing global trend on pricing pollution. And it puts Australia on the crest of the wave of the unprecedented new market opportunities in clean energy and green technology, opportunities that are supported through the CEFC and ARENA. It gives Australian innovation and ideas the chance to thrive. The Leader of the Opposition proudly noted that since Labor:

- put a price on pollution two years ago, emissions in the energy sector—the main industry covered by the carbon tax—have dropped by 10.4 per cent.
- Since the Renewable Energy Target was introduced, $18 billion has flowed into Australia's renewable energy sector.
- Under Labor, wind power generation—tripled.
- The number of jobs in the renewable energy sector—tripled.
- And the number of Australian households with rooftop solar panels increased from under 7,500 to almost 1.2 million.
Abolishing the RET—
the renewable energy target—
will put Australia out of step with the rest of the world—and it will cut us off from the next wave of international investment in clean energy.

Labor objects to these bills because, if these bills pass in the Senate, we will see no cap on carbon pollution, no discipline and no rigour at all on the amount of carbon pollution produced in Australia.

We will see no market mechanism whatsoever to deal with climate change, no effective price signal to discourage polluters from polluting our atmosphere with carbon dioxide much in the way the GP tax will discourage poor sick people on low incomes from seeing the doctor.

The shadow minister for the environment, Mark Butler, was right to express our concern that:

We will see no legislated short-term target for carbon pollution reduction. The five per cent reduction target for 2020 will go. … there will be no legal mechanism to implement Australia's international obligations. There will certainly be no longer term target, as in the current legislation—the 2050 target that Australia signed on to, apparently with the support of the then opposition, the now government, to reduce carbon pollution by 2050. Again, there will be no such commitment by Australia anymore.

So what will there be? There will be Direct Action, the government's plan to pay big polluters to pollute and remove the cap on pollution, the plan that will not change behaviour. In fact, Direct Action rejects action, and it is a coalition policy that is still yet to find any broad support out in the community from economists and environmentalists. Let us not forget the number of economists last week that all wrote an open letter to the government on exactly that—on the fact that Direct Action does nothing on climate change policy, whilst an emissions trading scheme, a legal cap on pollution, is what Australia needs to do. But we all know this, no-one more clearly than the Minister for the Environment, who spent 19 years and most of his political purpose arguing that a price on carbon was in fact the best way of reducing pollution. Much of the world now agrees with the minister's long-held and cogent views. However, they are views that he does not wish to express at the current time. Perhaps it does not politically make any sense for him to do so. It certainly does not make him come out in support of his own policy of Direct Action.

Sitting suspended from 18:50 to 19:30

Senator SINGH (Tasmania) (19:29): If removing the carbon tax was all that these bills were about, the opposition would be able to join the coalition and support these bills. But, of course, this is not what this package of bills is about at all. It is about dismantling even workable measures to further the case that this Prime Minister has consistently propagated, arguing against the science. This is the settled science that tells us we need some significant action. The saddest component of this package of bills is what is not included. We have sought to substitute for that with our amendment and for an emissions trading scheme. On an emissions trading scheme, we know again that the Prime Minister has propagated furphies when it comes to international action.

Today, 39 national and 23 sub-national jurisdictions—accounting for almost a quarter of global greenhouse gas emissions—have implemented, or are on track to implement, carbon pricing instruments—very much what we are talking about when we talk about an emissions
trading scheme. Yet this government will continue to carry on flogging the Direct Action dead horse, rejected by economists and scorned by climate scientists, and will stumble in shame into the Paris conferences next year wearing only a fig leaf, I am sure. They will not go as an example of an emissions-intensive economy with an integrated, effective emissions trading scheme. They will not be asked to inform the world how they are contributing to the global effort on climate change. The government will go with nothing but limited and ineffectual subsidies, no policy for 2020 and the decade after when global emission cuts targets will increase; no policy after 2018 and no funding after 2016. They will go with nothing. And there is the rub: no courage, no leadership—the definition of 'un-Australian'.

There are certain moments in parliament, which are inscribed in Hansard, where our successors will download what legislation was passed or repealed and ask themselves, 'What were they thinking? What were they scared of? Who voted for this and why?' These are narrow minded, partisan, ignorant mistakes. We can see them in the past—the White Australia Policy, the Stolen Generation, the Vietnam War. I believe that this is one of those moments, the moment when Australia might give up on global warming. This vote is about a choice between a few bits of money in 2015 or a future in which the environment might satisfactorily support our demands upon it.

As I said, the government has yet to demonstrate that its alternative policy can achieve Australia's minimum commitments. All that independent analysis to date indicates that emissions will continue to increase under its current proposed framework. If that is the case—and I have to say I put my money on economists and scientists over this government—then Australia is doing nothing on climate change. It is doing nothing to reduce our greenhouse gas emissions. It is doing nothing to support our future generations. On that front, I would like to read into Hansard that the government can keep its 30 pieces of silver, because I am voting for the future. I am voting with Labor for climate change policy that will make a difference to our future generations—that is, an emissions trading scheme.

Senator MILNE (Tasmania—Leader of the Australian Greens) (19:34): As you well know, tonight there are parties going along in the corridors and around the Parliament House as the government celebrates that it has now got the numbers to repeal the only effective package of legislation we have, which is bringing down emissions in Australia and which has successfully brought down emissions in the electricity sector by 11 per cent over the last couple of years.

I want to say to the children of 2050: the people who voted for the repeal of the carbon price, the people who voted to abandon strong action on global warming knew full well what they were doing and they chose to do it. Do not listen in the future when people try to argue that they did not know about the seriousness. They did and they proactively chose to do it.

We stand here in this parliament at a critical moment of time. It is critical because we as a national parliament are choosing our response to the climate emergency, which we human beings have wrought on the planet. It will impact on every generation who comes after us on a global scale. It is a critical moment because the rest of the world is watching to see whether Australia is going to take up a responsible position as a global citizen or whether we are going to retreat and become a laggard—a global pariah in the family of nations. It is a critical moment because it is the moment when we decide, as a nation whether to embrace the opportunities that the future offers—a society powered by 100 per cent renewable energy, by
the sun, the wind, the waves, the earth itself—or whether we remain captured by vested interests of the old order, the old coal and gas industries and remain tied to the last century.

Voting for the abolition of the clean energy package is voting for failure: failure to face up to the four to six degrees of warming that we are currently on a trajectory to reach, failure to do our fair share globally in the effort to constrain global warming to less than two degrees and failure to take up the opportunities, the jobs, the innovation in the green powered future. But the greatest failure is that those who vote for abolition of the clean energy bills are imposing on our children a harder life. They are imposing on our children a higher degree of anxiety about the world in which they live and imposing on them a far less awesome planet than we have now. That is not leadership; it is intergenerational theft. The Prime Minister and every single member who votes for the abolition of the energy bills are engaging in intergenerational theft. It is also the day when the Abbott government confirms what Machiavelli knew in the 16th century when he said:

… there is nothing more difficult to handle, more doubtful of success, and more dangerous to carry through than initiating change … The innovator makes enemies of all those who prospered under the old order, and only lukewarm support is forthcoming from those who would prosper under the new. Their support is lukewarm partly from fear of their adversaries, who have the existing laws on their side, and partly because men are generally incredulous, never really trusting new things unless they have tested them by experience.

It is certainly true that the vested interests of the old order have won this pyrrhic victory because it is the community who will be paying with their lives, their farms, their futures, so that the big polluters can get off scot-free in Australia. The vested interests of the old order who have fought like partisans include the coal miners, who want to dig coal out of the Bowen and Galilee basins. The vested interests also include the Business Council of Australia and the Chamber Of Commerce and Industry.

In 25 years in politics I have never witnessed such a dismal failure of the business community in Australia and never will the business community be able to say to this parliament that politicians do not show leadership. The Greens have stood here showing leadership on management of society and the economy at a time of a global emergency and the Business Council and the Mineral Council of Australia have said, 'Forget it. We want to stick with the greed and the money of the last century.' I think at some point we will have a website of climate criminals and I would have a few people to put on that list. It would include Dick Warburton, Brian Fisher, David Murray, Maurice Newman, Mitch Hook and so you could go on, with Chris Mitchell, Gina Rinehart, Innes Willox, Ian Plimer, Rupert Murdoch, George Pell, Andrew Bolt, John Roscom, Martin Ferguson and so on and so forth. In years to come, those people will try to pretend that they did not tear down the climate bills, when they have and the record will clearly show it.

The good news tonight is that this is the last stand of the vanquished. To all those people partying around the corridors, enjoy it because it is your last stand. The fact is you have misjudged the temperature. As Machiavelli said, the old order fight like artisans; the lukewarm new order are lukewarm in their support, but I can tell you they are not lukewarm in their support on this occasion. The temperature is rising. You do not have to look around to find that people want Australia to lead to global warming. They want to embrace the future. They love renewable energy. They love innovation. They want the new jobs and investment but the people who want those things do not have the megaphones and the echo chambers of
the Murdoch press. They do not have the false balance of the mainstream media which feels it has to give the same column mounts to the Intergovernmental Panel on Climate Change and to Ian Plimer as an equal, for example.

When we look at the temperature of the planet rising, let us look at the climate science. The fact of the matter is we are on track for four to six degrees of warming. That means people will not survive. Part of the world will be uninhabitable. There will be one million deaths per week for the next 90 years if it gets to 4 degrees. Three degrees is deemed to be a tipping point from which the feedback loops make it impossible to stop. So now we have a situation where the ice sheets are melting. Just last week we had research about the warming waters around Antarctica, the changed situation meaning that those ice shelves are melting faster than anticipated in the recent UN climate panel report released just a few months ago. It is the same with the Arctic ice melt, progressing faster than first thought. There is now genuine concern about the 50 gigaton reserve of methane stored in the form of hydrates in the East Siberian Arctic shelf. That methane can either be released gradually or suddenly.

We also have ocean acidification and warming. We have calcium shelled creatures in our oceans unable to form new shells, a simplification of the food chain in the marine environment. We are seeing a loss of coral reefs around the world and we are seeing more extreme and more intense weather events. The Greens have had the courage for a long time to call it as it is—that is, extreme weather events are made more intense by global warming. We will not be silenced by all those, when the extreme weather events occur, who say, 'Oh, you can't say that. You can't say it is to do with global warming.' It is; and as people suffer through heatwaves, droughts, more extreme bushfires, storm surge and flooding, let it be known that that is what people are voting in this Senate tonight to achieve. We are going to see not only that but also loss of food security around the world as crops are destroyed through drought, fire and flood. We are going to see conflict and disease. Dengue fever is already spreading further south in Australia than ever was expected. And we are seeing loss of species. How heartbreaking is it that a quarter to a third of all species will be extinct by 2050 if we stay on the trajectory we are on? That is what I mean when I talk about simplification and loss of the awesome wonder of our world.

The second thing about which global action is rising in terms of temperature is the willingness of the world to act—and that is something I really welcome. We have now got President Obama out there saying, 'Yes. We must get a 2015 treaty.' We have the Prime Minister of the United Kingdom, Mr Cameron, out there saying the same, and the European Union. The fact is that global emissions need to peak and come down and it should have been in 2015. That is what the scientists said: 'peak and come down by 2015,' but they have pushed that out because we have clearly missed that deadline. The fact of the matter is—and this is where I get to the point about what needs to be done—that it is not about asking the question 'Is global warming real?' It is about how fast we have to act on it and how deeply we have to cut. That is my challenge to the Labor Party, the Liberal Party and the Palmer United Party. It is no good saying that you want an emissions trading scheme. An emissions trading scheme is a tool to deliver what? What is the target? How rapidly do you want to bring down emissions? We have not heard a peep out of anyone except the Greens in this parliament about the level of ambition and the urgency that is required.
I put on the record that the Greens have a second reading amendment which says that we are on track for four degrees of warming. That means no new coalmines, no extension of existing coalmines, no new coal export terminals. And it says we need to adopt a trajectory of 40 to 60 per cent below 2000 levels by 2030 and net carbon zero by 2050 in order to go into the negotiations on the 2015 treaty. I have not heard from any other party, including those who claim to be leading on global warming. What is your level of ambition and how fast do you want to achieve it? If you are not prepared to say what your cap is on an emissions trading scheme, then it is empty words.

There is such a thing as being too late to address global warming. As I said, this is a critical moment for Australia. It is a fact, as Tim Wirth, a former Clinton secretary of state, said, 'The economy is a wholly-owned subsidiary of the environment.' That is why the opportunity is now before us. We need transformation. We need a wave of social, technical and economic innovation that will touch every person, community, institution and nation on Earth. The irony is that this transformation is still viewed as an economic cost when it is in fact an enormous economic opportunity—an opportunity that we are increasingly being forced to recognise; and the Greens do.

Australia is in the right place at the right time in our history, and we should not be squandering this opportunity. We should be saying to the global community that we have a vision for this country to be powered by 100 per cent renewable energy. We should be out there chasing more efficient homes, more walkable cities, more public transport, more—some, at any rate—high-speed rail, for example. We want sustainable food systems. We do not want coal seam gas ripping up our farmlands. We do not want to lose our agricultural lands. We want to make sure we keep them so that they can produce food into the future. But we want to look after our biodiversity as well. We want to protect our forests and our wetlands, because they are wonderful homes and habitat to other species, but they are also fantastic carbon sinks. We want to have solar thermal in this country. We the Greens managed to achieve the Australian Renewable Energy Agency and the Clean Energy Finance Corporation in our negotiations in the clean energy package, and we will fight to secure and keep the money for those organisations and keep them strong, because we want to see all of these technologies rolled out in Australia, because they bring jobs, they bring innovation and they are developing renewable energy. At that point we can celebrate. I said before: it is the last stand of the vanquished, because the renewable energy sector has won. The future is with us.

The Abbott government can stand up in the middle of the road and try to hold up the future. They can try to do that. They can actually line the pockets of the coal billionaires. They can do all of those things, but they cannot stop the future. We have got solar already achieving grid parity in many countries around the world, and here in Australia we have this massive rearguard effort from the old coal-fired generators trying to knock out solar. But it is too late. People power has won. More than a million homes across Australia have solar panels on their roofs, and everywhere I go people are excited about the new technologies that have been developed in Australia by the CSIRO and by other organisations. I can tell you that the pilot project of supercritical steam, that was achieved by a combination of CSIRO and ARENA, would power a turbine from solar thermal heat instead of burning coal. The inventors proudly compared it with breaking the sound barrier, and yet the Abbott government slashes the
funding for it. If ever there were a symbol of choosing the past and not the future, it is that particular decision.

The Australian Greens stand for not only a safe climate, not only ambitious targets on global action and a treaty in 2015, but we want to invest in our young people, in our universities, in education and training, in new technology, in research and development. That is where the excitement is, and that is what we need to protect our environment. As it stands, the Abbott government is going to leave us exposed to non-trade tariff barriers. If you think the rest of the world is going to put up with Australia behaving as a pariah, have another think. The Koreans will put a tax on coal imports. The Indians have already done it and that will be something that continues.

We will end up with stranded assets all over the place as people divest from the old coal past, especially as people come to realise that all of these companies that are the old coal companies only have their asset value because it is assumed they can mine their asset, their resource. The world is saying: 'No, you can't. Your asset value is about to go up in smoke.' It is the carbon bubble, literally, that will be occurring.

The Greens will choose the future. We are going to choose life for the planet, for our oceans, for our species, and for our precious places like the Great Barrier Reef and Ningaloo. We are going to choose life for people who live on Tuvalu, Kiribati and Bangladesh. We are going to choose hope for the young people, the future generations who come after us. We are saying to them, 'Yes, no wonder you feel anxious and depressed by the complete lack of leadership, by the greed and self-interest of the old order, by the fact that we have a coal billionaire leading a political party in this place voting to put money into his own companies.' That is our reality. We will see Hydro Tasmania with one-tenth of its profits as a result of taking away the carbon price and 100 jobs will be lost in Tasmania by a decision to abandon carbon pricing. It is a huge cost to the future around the country.

But the great news here is that we have won. We may lose this vote tonight and we may lose this version of carbon pricing, but we will be back stronger and even more determined than we are now to make sure Australia does rise to the challenge. We will pursue 100 per cent renewable energy for Australia. I want to finish with:

Only in the darkness can you see the stars.

That was Martin Luther King. We can see the stars and the sun through the cold mess of the Abbott government. We will pursue those dreams not just for ourselves but for everyone out there at the moment who is uncertain. Take heart because whilst we live in a country governed by a Prime Minister who is a climate denier, the Greens are here to campaign for very strong action on global warming. And I now move my second reading amendment:

At the end of the motion, add:

but the Senate

(a) condemns this Bill and the related Bills;

(b) recognises that:

(i) the world is on track for 4 degrees of warming; and

(ii) warming of less than 1 degree is already intensifying extreme weather events in Australia and around the world with enormous costs to life and property;

(c) calls on the government to:
(i) protect the Australian people and environment from climate change by approving no new coal mines or extensions of existing mines, or new coal export terminals; and
(ii) adopt a trajectory of 40-60% below 2000 levels by 2030 and net carbon zero by 2050 emissions reduction target in global negotiations for a 2015 treaty.

Senator LAZARUS (Queensland—Leader of the Palmer United Party in the Senate) (19:55): I inform the chamber that this is not my first speech. I rise today to support the repeal of the carbon tax which now includes the Palmer United Party's key amendments, which require the full cost savings from the removal of the carbon tax to be passed on to all Australians. With the inclusion of the Palmer United Party's historic amendments, the resultant package of carbon tax repeal bills, the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014 and seven related bills, will now deliver full and immediate benefits to all Australians, including families, pensioners, single parents, the elderly, low-income workers, businesses, sporting organisations, schools, farms, producers, manufacturers and hospitals.

The Palmer United Party's nation-changing amendments will deliver many real and immediate benefits to Australians and, importantly, will ensure that Australians experience a reduction in the cost of their power bills. For too long Australians have been lumbered with the cost of the carbon tax which has added to the cost of living and doing business here in Australia. Australian families should not have to bear the cost of an unfair, unjust and anti-competitive tax, which only serves to hurt the Australian community.

The Palmer United Party's changes will put money back into the pockets of all Australians. The Palmer United Party's amendments, which have been incorporated into the resultant package of bills, include measures such as: ensuring that electricity and natural gas retailers and refrigeration gas importers are required to pass on the full cost savings to all Australians resulting from the repeal of the carbon tax; ensuring that companies are obliged to ensure they do not exploit customers by not passing on cost savings from the carbon tax repeal; making it a contravention of the Competition and Consumer Act 2010 to engage in price exploitation where the price for the supply does not reflect the full pass through of all the corporation's cost savings relating to the supply; strengthening the powers of the ACCC to require companies to explain the way in which cost savings have been passed through to customers; and placing general obligations on electricity and natural gas retailers to provide information to the ACCC and customers on the cost savings that have been or will be passed through to consumers.

As a result, retailers of electricity and gas will now need to do two things. Firstly, they will need to give a carbon tax removal substantiation statement to the ACCC, setting out the retailer's estimate on an average annual percentage price or annual dollar price basis, of its cost savings resulting from the carbon tax repeal that have been, are being or will be passed on to consumers during the 2014-15 financial year. In addition, retailers will also need to provide information that substantiates their estimate. Secondly, they will also need to inform customers by 31 December 2014 of their average estimated cost savings for 2014-15 resulting from the repeal of the carbon tax that have been or will be passed through to consumers.

The Palmer United Party have, through the incorporation of our amendments into the resultant package of carbon tax repeal bills, ensured that all Australians will be empowered with the information they need to ensure they will receive the full and immediate cost savings from the removal of the carbon tax. The Palmer United Party strongly believe that all
Australians deserve to know how cost-saving information will be passed on to them. Accordingly, the Palmer United Party has incorporated into the package of carbon tax repeal bills an obligation for electricity and natural gas suppliers to provide clear information to the ACCC and to their customers about the way in which suppliers will pass on the cost savings resulting from the carbon tax repeal. Cost savings can be calculated on percentage or dollar value terms. Savings might be calculated at the specific customer level or as averages across groups of customers. This information must be provided to the customers by 31 December 2014. In most instances, suppliers will directly inform consumers of the cost savings resulting from the carbon tax repeal through the information on invoices or in specific bill inserts or brochures. In addition, a supplier may also provide information on a website or web link to electronic invoices or statements.

The package of carbon tax repeal bills, inclusive of the Palmer United Party's amendments, make it clear that information should be readily accessible to a customer and that the supplier should expressly ensure that customers are clearly made aware of the information and how it may be accessed. Importantly, this means that the information cannot be buried in small print on an invoice or hidden on a website. It would be expected that, at a minimum, this information was clearly highlighted on the front page of an invoice or accessed directly from the home page of the supplier's main customer-facing website.

The package of carbon tax repeal bills, inclusive of the Palmer United Party's historic amendments, reflect a balance between the need for public and individual customers to receive clear information about the way in which cost savings will be passed on and the potential compliance costs for industry of imposing any new obligation. Importantly, there is flexibility for power suppliers, including how the cost saving information is calculated and how it is communicated, but, also, there is a very clear obligation to ensure the information reaches every customer.

Palmer United Party has gone a great lengths to ensure that Australians are provided with the information they need and the protective mechanisms they deserve to ensure they receive the full cost savings associated with the removal of the carbon tax. The package of carbon tax repeal bills, inclusive of the Palmer United Party's amendments, will put much needed money back into the pockets of Australians. For too long, Australian families have been hurting—paying high prices for power bills and basic commodities—because of the carbon tax and it is time for things to change.

For too long, Australia businesses have faced increased operating costs which have hurt their ability to employ people, to compete and to grow in the marketplace. For too long, Australian producers, farmers and manufacturers and other operators have struggled to keep their heads above water with the increasing weight of operating costs. This must change before it is too late. Australia must take care of our own—no-one else will.

The Palmer United Party cares about the people of Australia. We are supporting the removal of the carbon tax and ensuring that the resultant financial benefits now flow to the people of Australia. The Palmer United Party's historic amendments, which have been incorporated into the resultant package of carbon tax repeal bills, guarantee Australians all over our great country will benefit financially and experience reduced power bills.

In closing, the Palmer United Party has secured important changes to the package of carbon tax repeal bills that will help Australians get the full and immediate benefits from the
abolition of the carbon tax, ensuring the Abbott government is held to its word and that consumers get the full power price cuts that they deserve—for this is the Australian way. For Palmer United, it is the only way. This is what Australia voted on in September 2013—to abolish the carbon tax and to receive the benefits of the cost savings.

Palmer United is listening to Australians. We respect Australians; we are committed to honouring their wishes and the Palmer United Party is delivering on this. As the leader of the Palmer United Party in the Senate, and on behalf of the Palmer United Party, I support the package of carbon tax repeal bills inclusive of the key amendments secured by the Palmer United Party.

Senator WATERS (Queensland) (20:04): And what a really, really tragic day to be part of this parliament. Almost three years ago I sat here—I sat on the other side—and voted for climate action. It was the happiest day of my parliamentary life—and, certainly, one of the happiest days of my actual life. I was really proud of the parliament that day. Today, I hang my head in shame and embarrassment at the absolute lack of vision of the people in this place, the wilful ignorance and the placing of selfish greed ahead of the public interest and ahead of the interest of all of our children and those to come.

I find it particularly embarrassing that Australia is the only country that is, in fact, going backwards on climate when we have many of the world's other nations taking steps forward in all sorts of different ways—some huge steps forward, some small steps. We saw last week the UK Tory Prime Minister come out and say that even he was embarrassed that Australia was stepping backwards. When we have that sort of clear signal from the rest of the world, and when this government continues to ignore that global action, again, I hang my head in shame.

If I think about why it is that we are in this place, it is for a three-word slogan—it is for rank politics in a little rhyme 'axe the tax'. To me, the greatest tragedy is that there is an absolute lack of understanding or, perhaps, a wilful lack of understanding of the significance of what it is that we are doing here tonight, and that has been driven by that base rank politics simply to get elected off the back of, mostly, lies.

Apparently, we are in a budget emergency. Yet we know from costings from the Parliamentary Budget Office that the carbon price would bring in $18 billion over the forward estimates. Some budget crisis if you are willing to forgo $18 billion! Given that money seems to be the only thing that makes any sense to these people, I would have thought that $18 billion would have made some kind of impact in their ideology—but apparently not.

I want to move now to the fact that the carbon price is not—as Greg Hunt tries to claim—failing. It is, in fact, delivering. Perhaps, that is why this government is so eager to get rid of it. It is, in fact, doing its job; it is, in fact, inconveniencing the big polluters who are lobbying so hard to get rid of it. Every time I hear this government parrot this absolute tripe that the carbon tax is not working, it makes me embarrassed to be a member of this place. The carbon price is working. In the first six months of the scheme, emissions from electricity generation came down by seven per cent. We know that, since the carbon price was introduced, total emissions from the national electricity market have fallen by more than 10 per cent. We know that emissions from all sectors combined, excluding land use and forestry, fell 0.8 per cent. Despite the fact that the scheme covers only 60 per cent of this nation's emissions, total emissions have remained flat while the economy has continued to grow. One notable exception is that emissions from coal seam gas and coal mining have risen a massive 13 per
cent. Is it any wonder that this government—and, frankly, the last government—have never met a coalmine or coal seam gas application that they have not approved? I echo the comments made by Senator Milne in her excellent speech earlier that we have a complete bankruptcy of commitment to climate change when we have the espousal of an emissions trading scheme with absolutely no detail on the actual target for reducing pollution.

Money seems to be the only thing that counts for this government. They claim that they want to axe the tax because they are concerned about households. What an absolute joke! If you are concerned about households, why on earth are you bringing down the harshest, cruellest and most unnecessary budget that we have seen in living memory? Any which way you turn it, there is no logic to this government's rationale. We know that households were overcompensated for the impacts of the carbon price through the income tax changes, that the carbon tax was working, that the economy was still growing and that emissions were coming down. There were absolutely no losers in this situation except of course the big polluters, who do not like paying to pollute. They are all ready to sign up to this ridiculous Direct Action scheme. Nobody seems to know what that is; it is gradually taking shape and it still has not found anyone to back it or describe it with any sort of credibility. They are ready to line up for their handout from the taxpayer so that they can keep polluting—instead of what we now have, a scheme where they have to pay to pollute.

I want to talk briefly about what is at stake—and again I echo the concerning and very well expressed remarks made by Senator Milne. We know that extreme weather events are going to become more intense and more frequent—and I am from Queensland, where we have an awful lot of them. I remember the community sentiment in 2011 when we had the worst floods in my living memory. I remember how people banded together. There was a great sense that, no matter how far the chips were down, people would stick together and fight, that we really did not want to see this sort of thing happen again and would stick together so that it did not. Well, with the action that this parliament is proposing to take tonight, we can expect more of those sorts of floods. We can expect more of the terrible bushfires that the rest of the nation experienced—and Queensland did too in some places. We can expect more of those vicious cyclones that attack our coastlines and ruin so many people's homes with the loss of so much life. It is absolutely mind-boggling that we are even contemplating taking an action that would invite that sort of consequence.

I want to mention in particular a place that is really close to my heart—which I hope many Queenslanders and many Australians feel similarly about—and that is the Great Barrier Reef. For a long time now, we have known that climate change is the biggest threat to the reef. Sadly, we know that it does not require a two degree rise in temperature to see the reef acidify and massive coral bleaching. In fact, the latest science is that, with a one degree temperature rise, we will see mass bleaching of the Great Barrier Reef. We are on track for that; we are already at a rise of 0.8 degrees. There is real peril facing the reef. I love the reef for its beauty and its biodiversity. It is one of the most wonderful places I have ever had the joy of experiencing. It is also the employer of 63,000 people. It is a huge backbone of the Queensland economy. It is our most popular tourist attraction. It supports many sustainable fishing industries. It is our most popular tourism icon. In fact, a recent study found that the reef contributes almost $6 billion to Queensland's economy every year. That is an awful lot of money that could continue to roll into our coffers if we actually look after the reef. But the
reef is not just beautiful and it is not just a job creator; it is actually really important biophysically. It is a barrier for the coastline from those damaging tropical storms and cyclones that we can expect more of. It is a physical barrier without which the Queensland coast would be a far more dangerous place to live.

I have talked already about the fact that climate change will cause mass coral bleaching, and we know that corals are highly sensitive to what are effectively underwater heatwaves. Before 1979 there were no scientific reports of mass coral bleaching and coral death, but in the last 25 years there have been numerous events. In both 1998 and 2002 we had over 50 per cent of the reef affected by bleaching and we lost about 10 per cent of the corals. By 2050, if carbon emissions across the world are not drastically reduced, it is expected that such events will result in the loss of 100 per cent of corals on the reef—that is, the entire Great Barrier Reef will be lost by 2050 if we remain on the emissions trajectory that we are on and if we continue tonight with the foolish, self-interested and disgusting proposal to repeal our climate laws. I cannot believe that the parliament is actually facing that choice and making a choice to get rid of climate action and sacrifice the reef. And for what? It is for the profits of the fossil fuel companies, most of which are overseas owned and do not deliver dividends to the Australian economy, do not generate many jobs and do not keep the economy ticking—although they frequently make over-inflated claims about their influence on the economy.

The Galilee Basin, along with the Great Barrier Reef, is in my home state of Queensland and it is the latest coal resource that the big miners want to get their teeth into. Mr Palmer is one of those miners, as is Gina Reinhart and a number of other, huge Indian conglomerates. The Galilee Basin is the biggest coal deposit that we have in this nation and if it were mined, as the big miners propose, the Galilee Basin would be the seventh largest greenhouse gas emitter in the world. It would rank as the seventh largest country—if it were to be considered a country—should all of that coal be burnt.

Thanks very much, Mr Palmer, for directing your senators tonight to ensure that your profits will be able to continue and that you will be able to plunder the Galilee Basin with impunity. I think you will find that Queenslanders will have quite a lot to say about that at the very next opportunity they have to express their views.

I am also disappointed in the Palmer United Party’s amendments that we saw tonight and surprised at how quickly they rolled over on what was a fairly expansive amendment last week but now much diminished. Again, it was much lampooned for the fact that it will not deliver a $550 dividend to households. It might be more like $80 or $100—maybe not even that. What a surprise that all the claims about the carbon tax being a wrecking ball through the economy did not eventuate. I think households will soon realise that. I am sure they are expecting to get a lot in the way of a refund but there is not that much due back, because the carbon tax was not that much of an impost. In fact, it was doing good work in bringing down emissions.

I want to take the chance to apologise to my daughter and to future generations to come for this parliament failing them tonight and for selling out their future and sacrificing their health and their way of life for the sake of propping up the big polluters. Tonight we have seen a triumph of profit over people and politics over science. It makes absolutely no economic sense. Again, I hark back to money as being the currency, it seems, in so many ways in this place. It makes absolutely no economic sense to stymie the burgeoning renewable sector and
to see those job-rich industries flourish. We know that that is where our economic profitability will lie into the future. We know that that is where infinitely more jobs will be created than in the increasingly mechanised fossil fuel industries. And we know that that is actually where the world is going and where we should go if we want to have our place on this planet as both an economic leader and a climate leader.

As I have already mentioned, Direct Action is basically a slush fund for the big polluters. It is a complete sham. There is not an economist or a scientist that has backed it. The government have not even committed to ensuring that a five per cent reduction in greenhouse gas emissions would occur through Direct Action, because they have capped the amount that they are going to pay out to the big polluters under that ridiculously titled excuse for a policy.

It is funny, isn't it, that the government does not believe in supporting industry? I hark back to cars, SPC and Qantas and how, all of a sudden, they are very willing to make big handouts to the fossil fuel industries. I want to remind senators in this chamber who have espoused the need for an emissions trading scheme that we have an emissions trading scheme. We will have it for possibly another two or three hours, depending on how long it takes this government to chop through their pathetic repeal legislation, treating this Senate like a rubber-stamp after having sold out to the latest senators who have arrived.

We have an emissions trading scheme; it is working. The Greens have moved, as have other people in this place, to bring forward the floating price on the existing emissions trading scheme that we have. So many of the stated demands of some of the other senators in this place would be met with that course of action. In the remaining time that we have for this excellent policy, I ask them to seriously consider that.

If this parliament votes down the carbon price tonight it stands condemned—the parliament dominated by old, white men, out of touch with science and ruled by greed. I, as a woman, Senator Nash, do note the presence of you as one of the few women on that side of the chamber. Thank you for being here and please have a word with your colleagues. I echo Senator Milne's comment that we may lose this fight but we will not lose this war. The momentum is there; the community is with climate action. People out there know that global warming is real and they want to do something about it, because they actually think about the future. They do not just think about their hip-pockets and they certainly do not think about the private profits of overseas mining companies.

I am excited by the folk who we have coming to parliament on a regular basis, particularly the Australian Youth Climate Coalition, which came here last week, when we last thought we would lose these good laws. They had such hope and such optimism. They are our future leaders. They are the people who we are meant to be representing—all of us. Certainly, the Greens are doing that job. They will be the people who inherit the future that we create with the decisions we will make tonight. Whilst I am incredibly disheartened about the decision that I expect this parliament will take, I have an unshakable optimism that not even this torrid government can stop the momentum that is climate action. Clearly, the rest of the world is moving. Australia is evidently going to have a little bit of a setback, but it will not last. We will get back on board. We have too much at stake and too much to lose and there are too many people who know that that is the case for this pathetic and underbaked policy of the government to stand.
The future is looking bright, despite all attempts of the Abbott government to keep us in the past and to keep us wedded to the fossil fuel sector. So many people across Australia are concerned—and we are not talking about inner city latte-sipping elites, as this government tries to perhaps marginalise anyone who cares about their future or their children's future—people in rural Australia. I want to particularly pay tribute to those in the coal seam gas movement, Lock the Gate and the like, who have stood to protect their land, their water and also the climate from this latest fossil fuel destruction waiting to happen that is coal seam gas, shale gas, tight gas and other unconventional gas, along with hydraulic fracturing that breaks open these seams, lets the gas flow and does not really mind when it leaks out of those pipes and wells. It does not mind how much energy it takes to liquefy it for export, because much of it is for export. This is the latest war in the climate war. We will oppose coal seam gas, as we oppose extended coalmining.

Being from Queensland, I want to reiterate the importance of that policy principle which Senator Milne has foreshadowed an amendment on to these bills tonight. We are exporting an enormous amount of coal to the world. It is doing us no favours and it is doing the rest of the planet and all of the other species that we share this place with absolutely no favours. There is no way that we should be increasing that coal export. Ten years ago, that might have been taboo to say that, being from Queensland, but that is an increasingly and widely held view.

So we will stand to protect the Great Barrier Reef from the effects of climate change. We will stand against the rapacious dredging and dumping to make ports bigger, to export coal and coal seam gas, as if the reef were just a highway for fossil fuels and not actually one of the seven natural wonders of the world, the most beautiful place you can ever hope to experience. We will stand against the short-sighted and self-invested greed of people in this place who would rather sacrifice the future of all of our children for the private profits of some multinationals. You will not dull our spirit and you will not dull our motivation. Ultimately we will prevail.

Senator RHIANNON (New South Wales) (20:22): The repeal of this package of clean energy bills will come to define this government, not just now but it sets Australia's place in history—but I believe not for long. The selfishness will be overturned. History will have hope. It is shameful. It is embarrassing. It is so deeply wrong. I also want to say that it is an honour to follow Greens Senators Christine Milne and Larissa Waters. Their speeches tonight have been outstanding, and they set out the hope that I know is so real.

The coalition government's rejection of action on climate change, its moves to bankrupt the renewable energy industry and its belittling of the important work of Australian and all scientists are appalling actions. The Abbott government is out of step with other developed and developing nations. Australia is on its own with these backward policies. Last week on Lateline we were reminded how out of step the Abbott government is on climate change. I very much recommend that senators, even when the debate is over, watch this program. It is so informative. Here we had a Tory, head of the British independent Committee on Climate Change, Lord Deben, John Gummer, spell out with clarity and directness the problem with the Abbott government. Lord Deben demolished so many of the out-of-touch arguments we have heard from the conservatives in this chamber. Here it is, straight from the lord, on climate change:

Only Australia and to some extent Canada, but particularly Australia, is actually going backwards.
Then, referring to Direct Action, Lord Deben said:

... I can't find anybody in the world that thinks that this package will produce a serious reduction in Australia's emissions.

The Abbott government are propping up an old, worn-out economic model which is failing communities across the country. The government's actions show that they take no responsibility for the wellbeing of our communities and of future generations. This is a turn back to the old economy, the one built on coal and dirty power resources, on multinational companies that will fire their workers without a moment's hesitation, which run vigorous campaigns to depose leaders and to topple any policy they do not like. They cry poor, while making huge profits off the backs of ordinary Australians and the resources of this nation.

This is the old economy. Every day, there are reports about its decline. The demand from China is slowing. That country is starting a slow but sure move to a new economy, one that does not cause its inhabitants to live with the particle pollution created by old coal fired power stations. The United States is doing the same, despite the hostility from some sectors wanting to retain the old economy. The movement is something that we have been a part of. We have been a slower part of it, and certainly we in the Greens would like to see it speed up, but at least the previous government had begun putting in place some of the basic policy infrastructure to help us transition to the new. I congratulate Senator Christine Milne and the Greens team she worked with to negotiate the carbon package that has been so important to advancing climate action in this country. The repeal of the carbon tax is a major step backward in this regard. It will create further uncertainty, and we will again allow the coal industry to take precedence above all else.

These international changes have recently brought our coal industry to the attention of academics at the Stranded Assets Programme that operates out of the University of Oxford. They have found that Australia’s intense investment in and dependence on coal risks us developing a raft of stranded assets that will never be used. It is foolish to think that Australia can keep developing coal at the rate we are and still have it generate the profits that we have been used to. This is what we are seeing with the constant closure of mines and the controversy over take-or-pay contracts. It is also undoubtedly one of the reasons that the people of Newcastle, in the Hunter region of New South Wales, have had a reprieve from the increased traffic of a fourth coal terminal. The price of coal is too low to justify the building of all this infrastructure.

The world is moving away from coal, and we should do it too. We should be increasing public investment in renewable energy and solar thermal power. The benefits for traditional coal regions could be massive—the jobs growth, the boost to local economies and the all-important clean air and clean water. I can tell you, having worked with coal communities in Lithgow, in the Hunter, in Wollongong, that this is what people want. They know it is possible and they are ready to work with governments and community groups for that transition. As other Greens speakers have said, it is happening, and we need the political will from our government to work with these communities, because there is an urgency with which we need this to happen.

We are often talking about Newcastle and the Hunter region as a coal region, yet the ability to fundamentally transform our energy systems and move away from coal may very well come from this region. Only recently, the CSIRO in Newcastle has made a major
breakthrough in renewable technology, using solar energy to generate hot and pressurised supercritical steam at the highest temperatures ever achieved outside of fossil sources. This is what proper government investment and initiative in science, research and expertise has the power to achieve, yet of course, along with the clean energy legislation, the government is looking to cut jobs at the CSIRO, and we have heard just in this past week that that is already occurring. Just as we are on the verge of major breakthroughs in technology, the government wants to ignore its responsibility on climate change, cut funds to research, push us away from the new economy and stick with the old.

In New South Wales, the Greens have a different plan. My New South Wales parliamentary colleague John Kaye has a concrete plan for transitioning to the new economy, and it is worth looking at what he has proposed, because it would be a fantastic model to follow nationally. We do need a phase-out of all fossil fuel power stations by 2030. We know that Labor has tinkered with this idea in New South Wales for our dirtiest power stations. But what is really needed is a proper plan to move away from this old economy power source. This is not something that we can do tomorrow. We need a long-term plan. It is imperative to deal with climate change. The basis of it is there now. We can develop a plan for low-carbon combinations of solar thermal and wind power with a proper plan to ensure workers in the old industries can transition to new jobs.

Renewable energy targets or mandates would be one step to initiating this move—and we have seen the effectiveness of this on a smaller scale already. Secondly, we need to remove barriers to the development of renewable energy technologies. Current planning laws in New South Wales, in particular, are made to favour the old economy. We need to implement planning laws that are more favourable to technologies like wind, to support their growth. Thirdly, we need investment—the all-important investment—and there is a role for government here.

A responsible government, governing for the new economy, would invest in the future economy and our future energy sources. The success of the Clean Energy Finance Corporation is one indication that this is a profitable enterprise. We also need to remove the subsidies that go to the coal and gas industries. There has been a great deal of work done on identifying how huge these subsidies are and really shows that corporate welfare is still, despite what we hear from the government. They are propping up an industry whose time has come. The Australia Institute has recently estimated that subsidies are up to $17.6 billion. If we got rid of these subsidies it would even up the playing field between the old and new energies and help the transition to the all-important new, low-carbon economy. Further, we need to reform the energy market. One of the major barriers to changing to new technologies is the fact that the national electricity market is set up for large-scale coal fired power. This need not be the case. We could implement a strategic demand management policy to cut the need to further invest in transmission and distribution infrastructure.

It is not only the Greens who are recognising this need to move away from coal and dirty power towards new, clean renewable energy. Finance companies and smaller investors alike are also doing this through divestment choices. These organisations have seen the need for a different future and are moving their money to support it. Many organisations, including 350.org, Greenpeace, the Australian Youth Climate Coalition, the Australian Student Environment Network any many others, are organising divestment campaigns. Their work is
absolutely inspiring. They have stepped up with policies that challenge the government's climate failures. Some of the bodies that are working include the Hornsby Shire Council, the ACT government and 17 universities including UTS, Monash Clayton, RMIT and the University of Queensland. They have been identified as institutions that are ready to act on climate change—and in many cases that work is well advanced.

These campaigns have also targeted the big four banks, Westpac, Commonwealth, NAB and ANZ, which have loaned almost $19 billion to new coal and gas projects in Australia—projects that we do not need; projects that are part of that old economy that we need to be moving past. The campaign has already had some success, with UniSuper announcing it will remove fossil fuel investments from its 'socially responsible' portfolio. This is the voice of the new economy. That shift was made because those community organisations and those environment groups are out there campaigning, lobbying, having the discussion and starting the dialogue. That is why those organisations have seen that it is time to change.

To build the new economy 80 per cent of Australia's coal must stay in the ground to avoid dangerous climate change. In the new economy, investment in renewables, research and new infrastructure supporting a diverse range of electricity sources is recognised as a worthwhile investment in our future. It is something we can give to our children and their children—to the future. In the new economy we would have a well-educated, healthy population from which to draw inspiration as to how our economy could flourish. We would share our resources more evenly to benefit everyone, Multinational coal companies would not have the final word on what resources they could dig up. Rather, we would have a wide range of strong industries—education, health, tourism, research, agriculture and many more.

This is what a government with any true sense of leadership would steer us towards. They would be investing in the new economy and strengthening the carbon tax, the minerals resources rent tax and our environmental standards. They would be following the footsteps of those who have already stood up and said, 'This is enough' the reign of king coal must end.' They would be supporting those in the communities fighting coal mines and those campaigning for renewable energy. They would be investing in the research and skills needed to implement these massive changes. They would be actively moving us to the new economy. That is what we should be debating in this chamber tonight. That is the type of legislation that we should be working together on.

The bills before us should not pass. The carbon tax is one small but most significant step into the new economy. I do believe the sun is shining on a bright future. We might lose with the passing of these repeal bills, but action on climate change will win. Good people will triumph over this shameful government.

Senator WHISH-WILSON (Tasmania) (20:36): It is times like this that I really have to reflect on what I have learned in my two years in politics and in the Senate and how students of political history or even students of politics are going to look back on this period in history. A few months ago I asked the head of the Antarctic Division about reports that week that there had been an irreversible collapse in the Antarctic ice sheet. And may I give a plug for some of the best scientists in the world, who are based in Hobart and work at the Antarctic Division, CSIRO and IMAS? They said, 'Yes. This has been a long-standing internationally cooperative study, and it is very disturbing.'
I weigh that up on one hand—that we have this developing evidence from our scientists that the world is rapidly changing, and more than we anticipated. And, on the other hand, I am standing here tonight, about to farewell the clean energy package—work that the Greens, and Labor, but especially Senator Milne and, previous to that, Senator Bob Brown, and a number of other people in my party have put their heart and soul into, literally for decades, to try and get action on climate change. And I have to ask myself: how did it come to this?

The more I have been thinking about this in recent weeks, the more it has really become obvious to me, and self-evident, that politics is about winning. Politics is about winning—not necessarily about the citizens or the voters in this country winning, and not necessarily about good policy winning, but about political parties winning, and people within political parties winning. That is what this is about.

I think about the Antarctic ice sheet and I think, 'How can we do things differently?' I think the editorial in *The Canberra Times* this week described Prime Minister Tony Abbott's style of politics as 'total politics'—you know, the 'do whatever it takes, say whatever it takes,' style of politics. That was seen especially in his three-year negative election campaign, on a policy that was only just coming into play and only just being implemented, and that he never gave a chance to succeed. Is it just this determination to win and to grab power and to put your political party before good policy and before the good of the people, or is it more than that? I actually do think that this fierce determination to win at all costs—say whatever it takes; lie; deceive—is a big part of it. But I also cannot help thinking that, when you have big backers—when you have people pulling your chain: big think tanks, with their ideologies, and special interests, vested interests, that are influencing your party and donating to your party—that has also had a really big role to play in why we are standing here tonight, seeing a very sensible policy to tax carbon pollution which leads to global warming, which is the biggest market failure of our time, being thrown down the drain because of short-term politics and short-term self-interest.

As an economist and someone who has taught environmental finance, I am going to have to go back and have a good look at my textbooks, because this idea of government having a role to play in correcting for a market failure is an idea that goes back to some great thinkers from the last century, such as Arthur Pigou. Interestingly, I enjoyed Senator Leyonhjelm's first speech to the Senate the other night, where he plucked out—I must say, highly selectively—some interesting academics and great thinkers to support his philosophy and why he is here in the Senate. One thing he talked about was where individual freedom intersects with impacting on other people and the necessity for laws. That is exactly what we are dealing with here, with pollution. When a company's activity or an individual's activity impacts on someone else, it is exactly the same as looking at individual freedoms in our legal system. This theory that government has a role to play in correcting these types of behaviours is exactly the role that government has to play in fining people who offend or providing imprisonment or other services.

When a company dumps something in a river and it kills everything in the river and the fishing industry dies, a government has to step in and fine that company and provide incentives to make sure it does not happen again. In the same way, if I have a factory that is polluting the atmosphere and creating acid rain and that ruins the livelihood of farmers in my area, that externality—that external impact of my activity—once again has to be dealt with by
government. Who else will do it if government will not? This is well-established economic theory. It is exactly the basis for what a price on carbon is. It is supposed to cover the externality gap that is caused by carbon pollution.

To get back to the very basics of what we are dealing with here, we are dealing with a comprehensive package. It is ambitious, showing global leadership on taking action on climate change—which my party deeply believes is necessary. I know lots of young Australians believe it is deeply necessary. From an economic perspective, it is the most efficient way of dealing with this issue of global warming.

The carbon package was not just a price on pollution. On its own, a price on pollution may not necessarily do the job. But this package was very cleverly structured to collect the revenue and collect the data and information that is necessary for a flexible pricing scheme further down the track. It was also necessary to collect that revenue and direct that revenue towards behavioural change in the economy, towards providing a green bank that is going to invest in renewable energy projects, through, for example, ARENA or the Clean Energy Finance Corporation, or provide money for a climate change authority or for a whole range of other initiatives that were absolutely complementary and necessary to transition the economy here in Australia—and, hopefully, overseas—to a clean energy economy and along the way create hundreds and thousands of new jobs and incentivise innovation, research and development and new technology and new jobs in the industries of the future—all the sorts of catchphrases that you hear in this chamber. Yet it is being thrown out. It is being thrown out because of this government's total politics, its determination to win at all costs, regardless of whether this is a good policy—good for the Australian economy and good for the future of our grandkids.

And may I say, as to the emissions reduction targets that have been talked about in the media recently: five per cent below 1990 levels by 2020 is not enough. There is no point in reducing emissions unless those emissions have been reduced enough to actually tackle the problem that has led to things such as the collapse of the West Antarctic ice sheet. That is our moral obligation not just as senators but for every citizen.

It does not help when you have vested interests, special interests, pushing their agendas. Senator Waters talked about $18 billion that would be collected on forward estimates. That $18 billion would fill a pretty big hole in anyone's estimates in tackling a budget that needs to be reduced and brought towards surplus; just like fixing the mining tax would also help plug holes; tackling tax minimisation and avoidance overseas; tackling fossil fuel subsidies for the mining industry. There are so many different ways we can raise revenue sensibly to reduce debt in this country. But instead we have a range of budget measures that have been introduced to take money off those who can least afford to pay it—off the most vulnerable.

Once again I have to ask myself in the dead of night: why do we do these things? What is driving this? I have no doubt about the special interest theory. I have no doubt about the influence that lobbyists have. And it is not just in the mining industry—it was very obvious when we saw the previous Prime Minister Kevin Rudd being deposed around the whole debate on the mining tax and of course the aggressive advertising of the mining industry to prevent that tax from going ahead. I have also seen it with container deposit schemes in this country. I have seen the lengths to which Coca-Cola and the beverage industry will go to prevent a recycling refund scheme that works everywhere it has been implemented, because
they see it as an impost on their profits regardless of the public good. We are seeing it with the big polluters in this country.

So, instead of doing what economic theory tells us and taxing big polluters, we are actually going to take a couple of billion dollars’ worth of taxpayer funds to start with and pay the big polluters. That is correct. We are going to pay the big polluters under this government's Direct Action Plan. So it is $18 billion down the drain and then the taxpayer has to cough up money to the big polluters. It is not as if they do not get given enough already.

I would like to read you a couple of lines from 'The economists' open letter', which was published last week in media right around the country. The letter supports a price and limit on carbon pollution and is from a number of very well respected economists right across this country:

We are writing this open letter as a group of concerned economists with a broad range of personal political views, but united in the judgment that a well-designed mechanism that puts a price and limit on carbon pollution is the most economically efficient way to reduce carbon emissions that cause global warming.

Such a mechanism is a necessary and desirable structural reform of the Australian economy, designed to change relative prices in a way that provides an effective incentive to consumers and producers to shift over time to more low-carbon, energy-efficient patterns of consumption and production.

Then it goes on to talk about how a well-designed price and limit on carbon pollution has benefits to other schemes. This is from leading academics in this country. Why aren't we listening? I will tell you why we are not listening. It is because it does not suit the political mantra of this government, which is: 'Axe the tax, the toxic tax'. It does not suit the vested interests that pull their chains.

I noticed that Mr Murdoch—who, none of us could deny, is a very influential man in this country—said on the weekend that he pretty much thinks climate change is a waste of time and we should all be very sceptical of whether climate change is real. That is coming from a guy who controls nearly half the media in this country and has significant international influence on what everyday Australians read every day. Is it any wonder we are facing the troubles that we are in trying to take effective real action on climate change?

I would like to talk a little bit about Tasmania. The Greens often get criticised as not being 'economically friendly' or 'not delivering on jobs' in my home state. I have talked about this till I am blue in the face: the price on carbon has been a very positive thing for Tasmania. I have an email here directly from Hydro Tasmania that gives me all the information. They said 'in the financial year 2012-13, the first year of the carbon price, profit before fair value adjustments was $237.7 million.’ Hydro Tasmania said that this result was 'the largest in our history and more than double the previous record set last year’. It led to total returns to government of $263 million and a dividend of $115.7 million. To put that in perspective, that is nearly 13 per cent of the Tasmanian government's non-Canberra revenues. That pays for schools for hospitals for policing, for homelessness and issues that we have in every state. Tasmania is under the pump. I notice that Senator Leyonhjelm and others are happy to try and take GST off Tasmania, yet they are going to support the repeal of a price on carbon when Tasmania is one of the biggest economic beneficiaries of a price on carbon.

Hydro Tasmania goes on to say:
Over the next two years Hydro Tasmania expects to return more than $450 million to the State. However, the outlook after that is challenging as a result of a range of factors, including a subdued wholesale market for electricity driven, in part, by reducing overall customer demand and uncertainty around future carbon pricing in Australia.

While the businesses provided strong returns to government over recent years and is again on track to make a record underlying profit this year, the financial outlook for the next few years is challenging for Hydro Tasmania. They say that they expect profits will fall below $20 million in 2015—that is, less than one-tenth of levels under a price on carbon and the clean energy package. That is something the Greens with Labor have delivered to Tasmania.

Hydro said in the media last week that 100 jobs are going to be lost when the price on carbon goes. That is 100 jobs in Tasmania. That is a very significant loss to my state; not to mention the funding cuts we are seeing to CSIRO and the Antarctic Division around climate science and the uncertainty that is creating. This is in a community—especially in Hobart in the south of the state—that is absolutely critical to Tasmania. And it is not just critical because it employs a lot of people. It is strategically critical because it is something that my state very proudly has a competitive advantage in. We are world leaders in climate science based out of Hobart.

It really concerns me that on one hand we have a government that is unwinding action on climate change, which is what we are debating here tonight, and on the other hand it has the world's best scientists leading research on climate change. At what point does the science on my left hand start embarrassing the government on my right hand? They do not want to hear about the collapse of the Antarctic ice sheet or ocean acidification or extreme weather events and the damage it is doing.

Let's talk a little bit about extreme weather events. Every scientist who understands global warming has talked about the expected increase in frequency of these types of events. Just today we saw a settlement payout to victims of the Victorian bushfires of nearly half a billion dollars. In the future those types of events and the risks that they pose will need to be managed by governments and communities. Climate change is going to cost our economy. There is the death and destruction it is going to do to communities and the damage it is going to do to ecosystems. Some things you cannot value in monetary terms, but it is absolutely important to our spirit and who we are. The loss of species and biodiversity is irreplaceable. How are we going to manage that if we do not take effective action now?

When I used to teach students, I said to them, 'You don't have to believe in climate change to take action. You don't need proof to be prudent.' That is what the insurance industry has run on for hundreds of years. You do not have to have proof; you just need to take sensible risk management action. Being weak on action on climate change and putting the questionable increase in electricity bills ahead of action on climate change is not only dangerous but very sad. That is all I have heard in this chamber.

Senator Macdonald and others come in here day in and day out saying all the slogans and all the nonsense. I hope that when he retires he goes away and is proud to tell his grandkids that he worked in the Senate to try and lower people's electricity bills. I hope he goes away and is proud of that achievement. All I can say to people like Senator Macdonald and others is: we may not win this battle tonight, but we will be on the right side of the chamber when the division bell rings and we will be on the right side of history. People like Senator Milne
and Senator Brown, who have taken this action, are going to be remembered when they are gone, but people like Senator Macdonald will not be. We are the only ones who have the courage to stand up and implement this, and also take all the rubbish day in and day out that goes with it, and still stand here with dignity and say that we are going to have another go because we are not going to let big polluters and special interests, which have so much vested interest in protecting their profits, win over action on climate change, especially when the rest of the world is starting to catch up. We have shown global leadership in this area, and that in itself has to be worth something. One day this country will be remembered for it. But, the way we are going now, we are an international embarrassment on so many levels, whether it is whaling, the environment, refugees and what we are doing to some of the most vulnerable people in the world, or action on climate change. We are currently an international embarrassment.

We have three years, maybe less if we go to a double dissolution—and I certainly hope we do—to throw this government out, take some action on climate change when it is needed and stand up for our grandchildren's future.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:56): I rise to contribute to this round of the debate on the government's attempts to get rid of the clean energy package—the wrecking of a package that is carefully designed to address, as Christine Milne and my colleagues have said repeatedly, the real emergency facing this country: the climate emergency. I join with my colleagues and say to any future grandchildren that I may have that I did my level best during the debates in this chamber to stop the Abbott government putting the wrecking ball through the clean energy package. I will be able to look them in the eye and say, 'I recognised this.'

I have spent most of my life trying to address climate change. As many people in this chamber know, I used to be the coordinator of the Conservation Council of WA. I remember that I had some farsighted teachers. I remember my teachers talking to me about what they then called the greenhouse effect. I know that what is being done today is wrong, that it will impact on our climate and that we do need to put in place measures that address climate change. The clean energy package does just that. It has a number of measures—not just a price on carbon but a number of measures that complement that.

Two new pieces of information have come out in the last couple of days about the impact climate change is having already on Australia and my home state of Western Australia, and I will go into that in a minute, but also on Aboriginal and traditional landowners, and I will go into that in a minute. An article in The Guardian talked about a paper on the nature of climate change and regional rainfall decline in Australia, attributing it to anthropogenic greenhouse gases and ozone levels. It points out that in Perth and the south-west part of Australia, we are going to have a massive 40 per cent reduction in rainfall. That is on top of the rainfall decline that we have already had over the last couple of decades—a well-documented decline in rainfall that various Western Australian governments over the last 20 years have recognised with their efforts, but not strongly enough—for example, in providing a water resource for Western Australia. This research points out that Perth has been identified as the most vulnerable city—the prediction is a 40 per cent decrease in rainfall. The research points out that the rainfall could mean that the capital of Western Australia, Perth, my home city, will have to rely on alternative sources of water. But the point here is that it is just not about
having to supply further water sources for Perth; it is going to impact further on our agriculture. I say 'further' because, as I have highlighted in this place before, climate change and climate variability is already adversely impacting on our agriculture in Western Australia.

Our farmers in Western Australia are some of the best at adaptation and that has also been recognised. We have had to adapt because we have been farming sand for over 150 years. We have to be able to adapt, but adapting to a 40 per cent decrease in rainfall, on top of what we have already adapted to, is virtually impossible. Then we look at what impact it is going to have on natural ecosystems. Already, we are seeing drying of those ecosystems. It is going to have a devastating impact on what is left of our forests. It is going to have a devastating impact on our biodiversity, bearing in mind that Western Australia is a biodiversity hotspot. It has got plants and animals that are found nowhere else in the world. A biodiversity hotspot means that it has got one of the highest levels of biodiversity on the planet. That is at risk. Let us look at the impact it is going to have on wetlands. Western Australia, the Perth metropolitan area have already lost between 80 percent and 85 per cent of its wetlands. Those wetlands are connected to the groundwater systems. If the rainfall is reduced by 40 per cent, it will have a devastating impact on that environment.

This study talks about why climate change is impacting on our rainfall in Western Australia. It also says that Perth is particularly vulnerable because most of our rainfall—when we get it—falls between May and September. In other words it is a winter rainfall pattern and that is the pattern which is going to be affected. I am not going to go into all the technical details that the paper goes into about why climate change is going to hit so extensively on southern Australia, particularly south-west Australia and Perth.

Rainfall flow in Perth reservoirs has already reduced by 75 per cent over the last 50 years. I make this point because with the dropping in rainfall of 40 per cent, it actually decreases the run-off by a much more significantly higher percentage. For example, a one-third drop in rainfall multiplies out to a two-thirds decline in the run-off. If you think a 40 per cent decline in rainfall is bad enough, it is going to have a devastating impact on our dams.

Points have also been made about the impact of climate change and reduced rainfall on our beautiful wine-making area of Margaret River. Amongst the Greens, we have a bit of competition about who has got the best wine-growing areas in Australia and we in Western Australia think it happens to be Western Australia. Whoever happens to win that title, the fact is that the declining rainfall here is going to have a significant impact on the beautiful wine-growing area of Margaret River. As I said when I started my contribution, this study has only just come out and is further evidence of the impact of climate change.

Unfortunately, when I sat here listening to the contributions from the government to the last debate on this package of bills, it was absolutely clear from the contribution made by government senators that although they say they acknowledge climate change, what they do not acknowledge is that the climate is being changed by human activity. Effectively, they deny climate change. I urge people to go back and look at those contributions because nobody listening to those contributions can be in any doubt that they do deny the impact of human activity on the climate.

Another important point that came out at the end of last week was that traditional owners have made public now their concerns about the impact of getting rid of a price on carbon on their abatement activities. Kimberley Land Council expressed concern last week that carbon
projects worth millions of dollars to their communities will be lost as a result of the abolition of clean energy package. They said that carbon projects registered by Aboriginal organisations and native title lands in the state's Kimberley, in my home state of Western Australia, had generated carbon credits through fire management practices. They are concerned that 230,000 credits generated so far at a value of $5 million will be dramatically reduced causing a massive loss to remote communities. The KLC said:

When you look at the size or the scale of the activity in the area, you’re talking millions of dollars and lots of opportunities for income to be generated to provide a number of outcomes, particularly around employment, and jobs and training and business opportunities.

All the investment of time, peoples' energy, developing capacity, people that are getting geared up to try to do something with their lives.

Rug being [pulled out from] under them is an understatement.

To be very upfront, I have not always seen eye-to-eye with the Kimberley Land Council on some other proposals. We talk to them a lot about their excellent work on land management practices, on Indigenous protected areas and on Indigenous rangers programs. We have worked very closely with them and I absolutely take a point here. This will significantly impact on their building development opportunities in the Kimberley in their understanding of the country. I have spent time up there. I have spent time with the rangers. I know of the work they are doing. It is excellent land management work and here is an opportunity they are going to lose when the government is joined by some of the crossbenchers in the Palmer party to vote down this package. Not only are they denying the impact of climate change, are they getting rid of this excellent package and pricing mechanism but also they are impacting an opportunity for traditional owners to earn millions of dollars from their land management packages.

I do not think I can let this opportunity go without mentioning—and Senator Milne mentioned this yesterday—the editorial in The West Australian yesterday. Not often do I quote the West in this place but on this occasion I need to. Yesterday's editorial said:

Barring more Clive Palmer antics, the Federal Government will sometime this week axe the carbon tax. There will be cheers and celebrations among Government MPs—and we have heard about that tonight—and in some of the nation's boardrooms.

But for anyone who cares about good economic policy, who thinks closely about Australia's economic future and who acknowledges climate change is real … well, it's time for tears. There's no other way to say it. The decision to get rid of a price on carbon is one of the poorest and most short-sighted economic policies inflicted on this country.

Shane Wright goes on to talk about the impact of some of the finer points. My point here is that this is economic vandalism. It is taking billions of dollars out of our economy. The Prime Minister said to the crossbench, 'Identify alternative sources of revenue.' Well, there are billions of dollars plus, helping generate a cleaner future for our children, for our grandchildren and for the biodiversity of this planet, and for traditional owners. We were providing leadership around the world but now we go to the bottom, we are at the back of the class. The world is now starting to see that we need to take urgent action on climate change but we are going out the back door, pedalling backwards to rewind what are recognised globally as leading measures on climate change.
Our children and grandchildren will look back to this time and say, ’What were you doing?’ I will be glad to tell them that we did everything we could. We will continue to campaign. Believe me, in the not too distant future Australians will be saying to you, ’What did you do? You lied to us. Why did you not understand? Why don’t you get it? Why didn’t you get it then? You’ve set us so far behind.’ We will ensure that we have effective action on climate change. This is a road bump to change because people around the world know that this is urgent.

How many more articles and how much research do you need to realise that, if you do not take action now, you are condemning the planet, that you are condemning the future of the peoples of this planet and the biodiversity of this planet? We on this side will not stop until we have effective action. We will be voting no to this repeal and we will be campaigning as hard as we can to make sure we have effective action on climate change, including a price on carbon. I swear to you that is what we will be doing.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (21:12): While this is the third time I will be concluding the second reading debate on this package of carbon tax repeal bills, I can assure the Senate that the Australian people came to their own conclusion some 10 months ago on 7 September 2013. The Australian people have already debated this matter and come to that conclusion, and what a firm conclusion it was on 7 September 2013. The Australian people concluded that they did not want higher electricity prices, that they did not want higher gas prices, higher travel costs or higher food costs. They did not want to see their jobs destroyed with a tax that did absolutely nothing to the environment. The Australian people said very emphatically that they did not want the carbon tax.

The carbon tax increases the cost of absolutely everything it touches. It is the highest carbon tax in the world and it is the most far-reaching economic-wide carbon tax of the world. It punishes households, businesses, schools, hospitals, nursing homes, charities, churches, council swimming pools and community centres. It hits each and every group which and every individual who uses energy. That was always Labor’s goal—to make electricity and gas more expensive. That is why the people of Australia voted to get rid of it.

Labor knew that the carbon tax was a bad initiative. How do we know that? We know that because, in 2010, they went to the election promising ’there will be no carbon tax.’ Then, having introduced a carbon tax, they knew it was so bad that they went to the 2013 election promising that there was, in fact, no carbon tax left at all and that they had somehow repealed it. If the carbon tax was such a good thing, why did Labor promise before the 2010 election that there would not be one and then, before the 2013 election, claim that they had somehow miraculously already got rid of it? We know that both of those assertions were simply untrue, and the Australian people have made their decision and cast their verdict in relation to them.

It is somewhat strange that in this chamber we get howls from the other side saying, 'You're breaking election promises' but we have had to have three cracks at trying to implement this election policy of getting rid of the carbon tax. We believe that it is now time for the parliament to show that it has listened to the Australian people.

A cornerstone of the government’s plan for a stronger economy is lower taxes, less regulation and stronger businesses—and, of course, part of that is to get rid of the carbon tax. The first impact of the repeal of the carbon tax will be on households whose overall costs will...
fall around $550 a year on average. Electricity bills will fall by $200 and gas bills by about $70. These are real, bankable savings for family budgets. What is more, when we are talking about pensioners and those on welfare, these are real savings for the pensioners and welfare recipients in our communities—those who have difficulty affording the cost of heating their homes on the cold winter nights here in Canberra and in my home state of Tasmania. The people who voted for the senators around this chamber expected that 66 out of the 76 would actually vote to abolish the carbon tax. The most egregious group, of course, are the Australian Labor Party senators in this place, who betrayed the electorate not once but twice. And we now hear from Mr Shorten that he would seek to re-introduce a carbon tax if Labor were to win at the next election.

What are the benefits to Australian households? These savings are confirmed. In Queensland, the Queensland Competition Authority has said that the typical household electricity bill is expected to fall by 8.5 per cent. In New South Wales, the Independent Pricing and Regulatory Tribunal has said that gas prices will be up to 9.2 per cent lower without the carbon tax. In my home state of Tasmania, the Office of the Tasmanian Economic Regulator has said that electricity prices will be 7.8 per cent lower with the removal of the carbon tax. And here in the ACT, the Independent Competition and Regulatory Commission has said that electricity prices will fall by 11.6 per cent after the removal of the carbon tax. Prices for groceries, for household items and for services will all fall because the price of power is embedded in every single price in our economy. The carbon tax has to go and it will go, if this legislation is passed, but the carbon tax compensation, especially for pensioners and welfare recipients, will stay. As a result, every Australian should be better off.

The Australian Competition and Consumer Commission has a wide-ranging set of compliance powers to ensure businesses do not mislead their customers about the impacts of the carbon tax repeal. The ACCC has received an extra $10 million in additional funding to take necessary enforcement action and also to inform businesses about their obligations and customers about their rights.

Under the original version of the repeal bills, penalties of up to $1.1 million for corporations and $220,000 for individuals will apply. These penalties remain as they were in the original version. The ACCC has already issued over 560 requests for information from companies across the economy, including from electricity and gas, refrigerants and aviation. The commission has been given further powers to ensure that consumers will benefit from the repeal of the carbon tax, and these are now incorporated within these bills. These changes include—and we recognise the work of the Palmer United Party in this—ensuring that suppliers of regulated goods, namely electricity, natural gas and synthetic greenhouse gases, must pass on all cost savings. The changes will impose a penalty on electricity and natural gas suppliers and bulk importers of synthetic greenhouse gases, equal to 250 per cent of any cost savings they do not pass on.

The changes will also require electricity and natural gas retailers and bulk importers of synthetic greenhouse gases to inform the ACCC and customers about how they are passing on cost savings and the amount of those savings. The changes to the main repeal bill balance new compliance obligations with the need to ensure that household and business customers benefit. Businesses should be able to explain to customers how changes in their costs are flowing through to changes in their prices. Indeed, just the other day during question time I
was able to tell the story of Mr Gary Heilmann, a fisherman, who had been told by Qantas Freight that the carbon tax component of the freight bill had already been removed as of 1 July this year, in anticipation of the passage of these bills—a clear, living example that companies are moving to reduce costs, as a result of which this fishing company, small business that it is, will be able to provide its product to market cheaper, as a result of which consumers will be able to buy wholesome fish cheaper.

For the purposes of the Acts Interpretation Act 1901, I confirm that the definition of 'electricity retailer' is limited to electricity retailers and electricity producers selling electricity into wholesale electricity markets to a retailer. The costs of synthetic greenhouse gases were significantly impacted by the carbon tax. Bulk importers of synthetic greenhouse gas defined under section 13A(2)(c) of the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 are covered by the new requirements. To minimise the cost of compliance, small imports of synthetic greenhouse gases such as imports of these gases contained in equipment such as fridges, cars and air conditioners are not covered. The new provisions are confined to those sectors. The bill already provides flexibility for the ACCC to expand the range of sectors covered should significant concerns arise. The government is confident that all businesses will do the right thing and pass on all the savings relating to carbon tax repeal. The government is aware that major electricity and gas retailers are already committed to providing this information to households and businesses on bills, inserts and through websites in any event.

The carbon tax has been a $15,000 million hit on the economy over two years. It has been a $15,000 million hit on jobs, a $15,000 million burden on investment and a $15,000 million slug to families, all of which we simply do not need. These bills need to be passed so that the carbon tax can be removed. I repeat for the benefit of the Senate that the carbon tax, as we know countless examples have shown, whatever its good intentions may have been, in fact, has had a perverse outcome for the environment because manufacturing, which has been relatively clean in this country in comparison to the rest of the world, has gone offshore.

Indeed, Senator Kim Carr, who always seeks to parade himself as the great industry minister, presided over the loss of 140,000 manufacturing jobs and he knows full well that, amongst all the other factors, right there at the epicentre of the loss of those jobs was the carbon tax. The carbon tax has to be removed for the sake of reducing the cost of living on Australian households and for the sake of protecting jobs in the manufacturing sector. In the dairy sector, the carbon tax costs the average dairy farming family an extra $10,000 per annum. This will be removed. For the fishermen I mentioned at question time, or for manufacturing, dairying, fishing or the agricultural producer that uses irrigation, and so the list goes on, it will be removed. It will be a huge relief to all employers and businesses in this country. It will help investment and all this huge damage to our economy for no environment dividend. As the Prime Minister has said previously, these bills are the government's bill to reduce the Australian people's bills. So the government commends these bills to the parliament and I thank honourable senators for their contributions.

The PRESIDENT (21:26): The question is that the second reading amendment moved by Senator Milne be agreed to.
The Senate divided. [21:31]
(The President—Senator Parry)

Ayes ..................... 10
Noes ..................... 58
Majority .............. 48

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

NOES
Abetz, E
Bernardi, C
Birmingham, SJ
Bullock, J.W.
Cameron, DN
Carr, KJ
Collins, JMA
Dastyari, S
Edwards, S
Fawcett, DJ
Gallacher, AM
Ketter, CR
Lazarus, GP
Lines, S
Lundy, KA
Madigan, JJ
Mason, B
McGrath, J
McLucas, J
Muir, R
O’Neill, DM
Parry, S
Peris, N
Ruston, A
Scullion, NG
Singh, LM
Smith, D
Urquhart, AE (teller)
Williams, JR

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

Back, CJ
Bilyk, CL
Brown, CL
Bushby, DC
Canavan, M.J.
Cash, MC
Cormann, M
Day, R.J.
Faulkner, J
Fifield, MP
Johnston, D
Lambie, J
Leyonhjelm, DE
Ludwig, JW
Macdonald, ID
Marshall, GM
McEwen, A
McKenzie, B
Moore, CM
Nash, F
O’Sullivan, B
Payne, MA
Polley, H
Ryan, SM
Seselja, Z
Sinodinos, A
Sterle, G
Wang, Z
Xenophon, N

Question negatived.
The PRESIDENT (21:34): The question now is that the bills be read a second time.
The Senate divided. [21:36]
(The President—Senator Parry)

Ayes ......................57
Noes ......................10
Majority.................47

AYES
Abetz, E ................ Back, CJ
Bernardi, C ............. Bilyk, CL
Birmingham, SJ .......... Brown, CL
Bullock, J.W. ............. Bushby, DC
Cameron, DN ............. Canavan, M.J.
Cash, MC ................ Collins, JMA
Cormann, M ............. Dastyari, S
Day, R.J. ................ Edwards, S
Faulkner, J .......... Fawcett, DJ (teller)
Field, MP ................. Gailagher, AM
Johnston, D ......... Ketter, CR
Lambie, J ............... Lazarus, GP
Leyonhjelm, DE .......... Lines, S
Ludwig, JW ............ Lundy, KA
Macdonald, ID .......... Madigan, J
Marshall, GM .......... Mason, B
McEwen, A ............ McGrath, J
McKenzie, B .......... McLucas, J
Moore, CM .......... Muir, R
Nash, F ................ O'Neiill, DM
O'Sullivan, B .......... Parry, S
Payne, MA ............. Peris, N
Polley, H ............... Ruston, A
Ryan, SM ............... Scullion, NG
Seselja, Z ............. Singh, LM
Sinodinos, A .......... Smith, D
Sterle, G ............... Urquhart, AE
Wang, Z ................. Williams, JR
Xenophon, N ...........

NOES
Di Natale, R .......... Hanson-Young, SC
Ludlam, S ............. Milne, C
Rhiannon, L ........... Rice, J
Siewert, R (teller) ...... Waters, LJ
Whish-Wilson, PS ...... Wright, PL

Question agreed to.
Bills read a second time.

In Committee
Bills—by leave—taken together and as a whole.

Senator SINGH (Tasmania) (21:40): I move opposition amendment (3) on sheet 7527:
(3) Schedule 1, page 4 (line 1) to page 70 (line 21), omit the Schedule, substitute:

Schedule 1—Amendments

Australian National Registry of Emissions Units Act 2011

1 Subsection 66F(2) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)

Omit "31 July 2014", substitute "31 October 2014".

2 Subsection 66F(2) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)

Repeal the paragraph.

3 Subsection 66F(4) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)

Omit "31 July 2014", substitute "31 October 2014".

4 Subsection 66F(4) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)

Repeal the paragraph.

Clean Energy Act 2011

5 Section 4

Omit ", 1 July 2013 and 1 July 2014", substitute "and 1 July 2013".

6 Section 4

Before "1 July 2015", insert "1 July 2014, ".

7 Section 5 (definition of fixed charge year)

Repeal the definition, substitute:

Fixed charge year means:

(a) the eligible financial year beginning on 1 July 2012; or
(b) the eligible financial year beginning on 1 July 2013.

For the purposes of paragraph (b), the months of July, August and September 2014 are taken to be part of the financial year beginning on 1 July 2013.

8 Section 5 (definition of flexible charge year)

Repeal the definition, substitute:

Flexible charge year means:

(a) the eligible financial year beginning on 1 July 2014; or
(b) a later eligible financial year.

For the purposes of paragraph (a), the months of October, November and December 2014, and January, February, March, April, May and June 2015, are taken to be the financial year beginning on 1 July 2014.

9 After paragraph 14(2)(b)

Insert:

(ba) if the regulations declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014—must have regard to any report that:

(i) was given to the Minister by the Climate Change Authority under section 60 of the Climate Change Authority Act 2011; and
(ii) dealt with the carbon pollution cap for that year; and

10 At the end of subsection 15(1) Add "(other than regulations that declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014)".

11 After section 15 Insert:

15A When regulations must be tabled—2014-15 flexible charge year

Scope

(1) This section applies to regulations that declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014.

When regulations must be tabled

(2) The Minister must take all reasonable steps to ensure that the regulations are tabled in each House of the Parliament under section 38 of the Legislative Instruments Act 2003 not later than 31 August 2014.

(3) The regulations must not be made, or tabled in a House of the Parliament, after 31 August 2014.

Reasons must be tabled

(4) If, on a particular day (the tabling day), a copy of the regulations is tabled in a House of the Parliament under section 38 of the Legislative Instruments Act 2003, the Minister must:

(a) cause to be tabled in that House a written statement setting out the Minister's reasons for making the recommendation to the Governor-General about the regulations; and

(b) do so on, or as soon as practicable after, the tabling day.

12 Section 16 (at the end of the heading) Add "—later flexible charge years".

13 Subsections 16(1) and (2) Omit "31 May 2014", substitute "30 November 2014".

14 Subsection 16(3) Omit "of May that is 14 months before the start of a particular flexible charge year beginning on or after 1 July 2016, no regulations made for the purposes of section 14", substitute "of November that is 8 months before the start of a particular flexible charge year beginning on or after 1 July 2016, no regulations to which section 15 applies".

15 Subsection 16(3) Omit "that May", substitute "that November".

16 Subsection 16(4) Omit "the May", substitute "the November".

17 Section 17 (heading) Omit "2015-16", substitute "2014-15".

18 Subsection 17(1) Omit "1 July 2015", substitute "1 July 2014".

19 Subsection 17(2) (formula) Repeal the formula, substitute:
Total emissions numbers for the eligible financial year beginning on 1 July 2012 – 25,000,000

20 Subsection 18(1)
Omit "1 July 2016", substitute "1 July 2015".

21 Section 93
Before "1 July 2015", insert "1 July 2014,".

22 Subsection 100(1)
After "following table", insert "(other than an exempt item)".

23 Subsection 100(1) (table items 5 and 6)
Repeal the items.

24 Subsection 100(1) (table items 7, 8 and 9)
Repeal the items, substitute:

<table>
<thead>
<tr>
<th></th>
<th>The period:</th>
<th>the eligible financial year beginning on 1 July</th>
<th>the amount prescribed by the regulations for the purposes of this table item</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2014; and (b) ending at the end of 1 February 2016.</td>
<td>the eligible financial year beginning on 1 July 2014</td>
<td>the amount obtained by multiplying the per unit charge applicable under item 7 by: (a) 1.07625; or (b) if another number is specified in the regulations—that other number</td>
</tr>
<tr>
<td>8</td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2015; and (b) ending at the end of 1 February 2017.</td>
<td>the eligible financial year beginning on 1 July 2015</td>
<td>the amount obtained by multiplying the per unit charge applicable under item 8 by: (a) 1.07625; or (b) if another number is specified in the regulations—that other number</td>
</tr>
<tr>
<td>9</td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2016; and (b) ending at the end of 1 February 2018.</td>
<td>the eligible financial year beginning on 1 July 2016</td>
<td>the amount obtained by multiplying the per unit charge applicable under item 9 by: (a) 1.07625; or (b) if another number is specified in the regulations—that other number</td>
</tr>
<tr>
<td>10</td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2017; and (b) ending at the end of 1 February 2019.</td>
<td>the eligible financial year beginning on 1 July 2017</td>
<td>the amount obtained by multiplying the per unit charge applicable under item 9 by: (a) 1.07625; or (b) if another number is specified in the regulations—that other number</td>
</tr>
</tbody>
</table>
25 Subsection 100(1) (note)
Omit "Note", substitute "Note 1".

26 At the end of subsection 100(1) (after the note)
Add:
Note 2: For exempt item, see subsections (13A), (13B) and (13C).

27 Subsection 100(2)
Omit "item 7, 8 or 9", substitute "item 7, 8, 9 or 10".

28 Subsection 100(3) (heading)
Omit "items 1, 3 and 5", substitute "items 1 and 3".

29 Subsection 100(3)
Omit "item 1, 3 or 5", substitute "item 1 or 3".

30 Subsection 100(4) (heading)
Omit "6, 7, 8 and 9", substitute "7, 8, 9 and 10".

31 Subsection 100(4)
Omit "item 2, 4, 6, 7, 8 or 9", substitute "item 2, 4, 7, 8, 9 or 10".

32 Subsection 100(6)
After "subsection (1)", insert "(other than an exempt item)".

33 At the end of subsection 100(6)
Add:
Note: For exempt item, see subsections (13A), (13B) and (13C).

34 Before paragraph 100(9)(a)
Insert:
(aa) the eligible financial year beginning on 1 July 2014;

35 After subsection 100(13)
Insert:
Exempt item
(13A) The regulations may declare that item 8 of the table in subsection (1) is an exempt item for the purposes of this section.
(13B) The regulations may declare that item 9 of the table in subsection (1) is an exempt item for the purposes of this section.
(13C) The regulations may declare that item 10 of the table in subsection (1) is an exempt item for the purposes of this section.

36 Subsection 100(14)
Omit "31 May 2014", substitute "31 August 2014".

37 Subsection 100(15)
Repeal the subsection.

38 Before subsection 101(1A)
Insert:
(1AA) Subsection (1) does not apply to carbon units with the vintage year beginning on 1 July 2014 that are issued as a result of auctions that are conducted by the Regulator during the financial year beginning on 1 July 2013.

(1AB) The Regulator must ensure that not more than 40 million carbon units with the vintage year beginning on 1 July 2014 are issued as a result of auctions that were conducted by the Regulator during the financial year beginning on 1 July 2013 if there are no regulations in effect that declare the carbon pollution cap, and the carbon pollution cap number, for the vintage year.

39 At the end of subsection 111(3)
Add "However, for the eligible financial year beginning on 1 July 2014, the charge for the issue of a carbon unit may not be more than $25.40."

40 Subsection 121
Omit "first 5 flexible charge years", substitute "first 6 flexible charge years".

41 Subsection 123A(3)
Omit "1 July 2015", substitute "1 July 2014".

42 Subparagraph 123A(6)(a)(i)
Omit "1 July 2015", substitute "1 July 2014".

43 Subparagraphs 123A(6)(b)(i) and (ii)
Repeal the subparagraphs, substitute:
(i) if the eligible financial year begins on 1 July 2014—6.25%; or
(ii) if the eligible financial year begins on 1 July 2015, 1 July 2016, 1 July 2017, 1 July 2018 or 1 July 2019—12.5%; or
(iii) if the eligible financial year begins on or after 1 July 2020, and the regulations do not specify a percentage for that year—12.5%; or
(iv) if the eligible financial year begins on or after 1 July 2020, and the regulations specify a percentage for that year—that percentage; and

44 Subsection 123A(7)
Omit "(6)(b)(ii)", substitute "(6)(b)(iv)".

45 Subparagraphs 133(7)(a)(i) and (7A)(a)(i)
Omit "1 July 2015", substitute "1 July 2014".

46 Subparagraph 133(7A)(a)(ii)
Omit "4", substitute "5".

47 Subparagraph 133(7E)(a)(i)
Omit "1 July 2015", substitute "1 July 2014".

48 Subparagraph 133(7E)(a)(ii)
Omit "4", substitute "5".

49 Subparagraph 133(7F)(a)(i)
Omit "1 July 2015", substitute "1 July 2014".

50 Section 160
Omit "each of the next 3 financial years", substitute "the financial year beginning on 1 July 2014".
51 Subsection 161(2)
Omit all the words from and including "On each" to and including "the following formula", substitute "On 1 September in the eligible financial year beginning on 1 July 2013, the Regulator must issue a number of free carbon units equal to the number worked out using the following formula".

52 Subsection 161(3) (formula)
Repeal the formula, substitute:

\[
\text{Annual assistance factor specified in the certificate} \times 125,115,000 = \text{Total annual assistance factors for that eligible financial year}
\]

53 Subsection 196(1AA) (heading)
Omit "11 months", substitute "8 months".

54 Subsection 196(1AA) (definition of number of units issued as the result of auctions)
Omit "11-month period", substitute "8-month period".

55 Subsection 196(1AA) (definition of total auction proceeds)
Omit "11-month period", substitute "8-month period".

56 Paragraph 196(1)(a)
Omit "May 2016", substitute "May 2015".

57 Paragraph 196(2)(a)
Omit "November 2015", substitute "November 2014".

58 Paragraph 196(3)(a)
Omit "1 July 2015", substitute "1 July 2014".

59 Subsection 196A(18) (paragraph (c) of the definition of designated 6-month period)
Omit "November 2015", substitute "November 2014".

60 Subsection 212(2) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Omit "31 July 2014", substitute "31 October 2014".

61 Subsection 212(2) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Repeal the paragraph.

62 Subsection 212(3) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Omit "31 July 2014", substitute "31 October 2014".

63 Subsection 212(3) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Repeal the paragraph.

64 Subsection 289(8)
Repeal the subsection, substitute:

Report
(8) The report of the first review must set out recommendations relating to the level of carbon pollution caps for each of the following flexible charge years:
(a) the eligible financial year beginning on 1 July 2015;
(b) the eligible financial year beginning on 1 July 2016;
(c) the eligible financial year beginning on 1 July 2017;
(d) the eligible financial year beginning on 1 July 2018;
(e) the eligible financial year beginning on 1 July 2019.

This amendment goes to the heart of Labor's policy, which is of course for Australia to have an emissions trading scheme. Of course, a key feature of the existing carbon pricing legislation is that it ensures Australia can meet its targets—and stronger post-2020 targets if it chooses to do so—but Australia's existing carbon policy suite also has a greater capacity to meet our current and future targets because it features a legally binding cap on emissions. That is exactly what an emissions trading scheme does; it provides a legally binding cap on emissions. This is something that has been given a huge amount of support by economists and scientists, not just here but right across the world. The reason for that is that it goes all the way back to a number of IPCC reports—the first of which was in 1990; and there have been five since then—which made it very clear that limiting climate change will require substantial and sustained reductions of greenhouse gas emissions. That is why we need a legal cap on carbon dioxide pollution.

So my question to Senator Cormann is: how on earth does Direct Action address the IPCC's finding of the need for substantial and sustained reductions of greenhouse gas emissions? I have not been able to find one economist who has said it has been able to do so. Labor, however, wants to tackle climate change in the most cost-effective way possible, and an emissions trading scheme has proven to be the most cost-effective way. That is why we said that we would negotiate with and support the government in removing a carbon tax if it is replaced by an emissions trading scheme which puts that legal cap on carbon pollution and lets business work out the cheapest and most-effective way to operate within that cap.

Emissions trading schemes are already being adopted in many countries around the world. Despite that, the Prime Minister was recently in Canada trying to create a coalition of unwilling partners to support his Direct Action model—and he did not get very far. In his endeavours there, he spoke about how there were not any countries around the world adopting emissions trading schemes. He actually said there are no schemes on the cards and, in fact, countries are going backwards on emissions trading. That is so far from the truth it is not funny; it is a complete fabrication and thus it is a lie. Emissions trading schemes are being adopted in China, the US and South Korea—and we already have the EU scheme, which includes Germany, France, the UK and the like.

We know that the Liberals have an ideological opposition to climate change policy, which is why they do not even have a climate change minister. We know that Prime Minister Tony Abbott has previously described it as 'absolute crap,' while John Howard told a London audience that he would trust his instinct rather than the overwhelming evidence of 97 per cent of the world's climate scientists.

If this package of bills is repealed, Tony Abbott will have made Australia the only nation in the developed world to reverse action on climate change. He is scrapping Labor's policy that has seen wind-generated electricity triple and continue to grow because of the framework that Labor put around its clean energy package, a framework which included the Clean Energy Finance Corporation and ARENA and, importantly, a renewable energy target. In all of that, the iconic part of Labor's policy is an emissions trading scheme.
Tony Abbott's policy is completely out of step with the rest of the world. It is so out of step that it is embarrassing. Yet we know that the Liberal Party did support an emissions trading scheme and that there are still members of the Liberal Party who support an emissions trading scheme. I do not understand why the Prime Minister is refusing to include climate change on the G20 agenda. I understand that he has had pressure from the United States and China, both of which are acting on putting a legal cap on carbon pollution. Both countries are acting on emissions trading schemes.

The Prime Minister has also accused the United Nations climate chief of 'talking through her hat'. We also know that Greg Hunt relied on Wikipedia for his source of information when contradicting an opinion of the United Nations chief scientist in a BBC interview. So that is the kind of level of debate that we are dealing with when we are talking about climate change policy, one of the most fundamental legislative issues that is facing this parliament. It is an issue that we know will go beyond today and tomorrow and will continue to be so important after this debate is over. What is so disappointing is that, after this debate is over, because of the deal that the government has done with some of the crossbenchers, we will no longer have a price on air pollution in this country. We will not have a legal cap on carbon pollution. We will not have a market-based mechanism that will allow businesses to work out the best way to operate. It really surprises me beyond belief why a Liberal Party in Australia would not support a market-based mechanism to deal with the carbon pollution issue in this country.

Labor stand very clear and very firm on our position, outlined in this amendment to these bills, to support an emissions trading scheme. That has always been our position and continues to be our position. It is backed up by scientists and economists right across the country, right across the world, including Professor John Hewson and conservatives in the UK, the US and the like. Labor stand here proud of the fact that we have supported an emissions trading scheme and have brought into this place a position that would take Australia forward. It is not too late for the government to sleep on this matter tonight and then tomorrow, when they wake up, think about how they really want to address the issue of climate change policy for this country. Do they want to be left behind and take Australia backwards? Or do they want to take Australia forwards, increase economic investment in renewables and actually do something for our children to reduce air pollution in this country and play our role on the planet to reduce greenhouse gas emissions?

Progress reported.

**ADJOURNMENT**

*Inverell Saints AFL Club*

**The DEPUTY PRESIDENT** (21:50): Order! I propose the question:

That the Senate do now adjourn.

**Senator WILLIAMS** (New South Wales) (21:50): I rise to speak about the saints—not the saints in heaven, not the St Kilda Saints, in Melbourne, but the Inverell Saints Australian Rules Football Club.

Last Saturday night we celebrated the 10th anniversary of the club. There was a half-hearted attempt to get Australian Rules going in Inverell in the 1980s. I actually played for the Inverell Tigers, along with my chief of staff, Greg Kachel. The dominant winter sports in that part of the world have always been Rugby League and Rugby Union.
As always happens, it takes someone new in town to get the ball rolling. A bloke by the name of Chris Howie and local radio announcer Gerry Taveira got together and called a meeting in the early 2000s, which led to the formation of the Inverell Saints Football Club. Gerry Taveira signed on as president and local farmer Dick Gleeson agreed to coach the team. A lot of fundraising was done to purchase goalposts and club gear but, two nights before their first game in April 2005, they almost pulled out through a lack of players and the fact that their jerseys had not even arrived.

I was there on the day of their first game in the Tamworth AFL competition in Inverell where they defeated the Narrabri Eagles. They were so excited, you would think they had won the premiership. In fact, more spectators were present than you would expect, because Inverell Sports Council volunteers were erecting the new Oval fence and they must have wondered how long this new sport in Inverell would last. The Inverell team that day comprised a handful of players who knew how to play AFL, and the rest were former and even current Rugby League and Rugby Union players who came along for the game and had little or no idea of how to play the sport.

In 2005 the club made the elimination final—a big effort out of the six teams that year. In 2006 there was a junior competition, and Inverell won that title. I am proud to say that my youngest son, Tom, played in that team and is now a prominent member of the Inverell Saints. One year later, the senior team, under Dick Gleeson, went through the season undefeated and, before a huge crowd at Varley Oval, defeated Tamworth to win the premiership. Inverell player Tony Halloran received the Graham Nuttall Medal for best on ground that day. The Saints again prevailed in the 2010 premiership, under captain Jason Gobert. They have been in the grand final seven times in their nine years, which is a pretty good effort for a new club. Peter Heath and Corey Wheeler have won the Gillies Medal for the best player in the Tamworth competition. It is great to see two locals taking out the association's best player award. In this year's competition, a team under the coaching of Nick Baird and captain Justin Pay is running second and is hopefully headed for its eighth grand final appearance at the end of this season.

But the club is more than just what you see on the field. Mums and dads man the canteen and ensure the club stays financially viable. It has been a huge supporter of the Westpac Rescue Helicopter Service. To raise money each year, the players gather one weekend and cut upwards of 40 tonnes of firewood to sell. The club does not charge admission to its games, which is a competition-wide rule. It is a real family club and, on a sunny and generally chilly Saturday afternoon, while the game is going on you will see youngsters kicking a football around and proudly wearing their miniature Saints jerseys. The club encourages the juniors. Youngsters in Inverell can now go to Auskick training each Friday night thanks to the great organisation of Jon Cox and Warwick Bedford, and then they get to play at halftime at Saints home games.

Last Saturday night, as I said, I was honoured to be invited to the Inverell Saints 10th anniversary dinner, and I saw Gerry Taveira, local breakfast announcer on 2NZ, and Dick Gleeson rewarded with the first life memberships of the Inverell Saints AFL club. It was a fitting tribute to two men who have put so much time and effort into the success of the club. As I said, it is a real family club. They are a close-knit team. They enjoy their friendship and their fellowship. A few years ago, my youngest son, Tom, did an ACL. He is a builder, and
you cannot build much on one leg. The club got behind him financially to support him. That is the mateship and support that the Inverell Saints give to each other. The Inverell sporting community has embraced the Saints, and I would like to commend the Inverell Shire Council for the magnificent job it has done in upgrading their home ground, Varley Oval, to make it a real showpiece. It is probably one of the greatest country football fields in Australia. Congratulations, Inverell Saints, on your 10th anniversary. We did not think you would make it, but no doubt you will make another 10 years. And all the best for the premiership this year.

Western Australia: Shark Cull

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:55): I rise tonight to talk on the WA shark cull and alternatives that we should be taking to the cruel approach that the Barnett government is taking in Western Australia. Submissions have closed on the public environmental review that the WA government are currently carrying out. They will complete their assessment and then hand it over to Minister Hunt to make a final determination on whether the cull should go ahead. I have spoken in this chamber on many occasions on the WA shark cull, outlining concerns about it. Tomorrow I will be cohosting, with Melissa Parke, a forum on non-lethal alternatives to the WA shark cull, looking at the other approaches that can be taken. Speakers will include Professor Jessica Meeuwig, from the University of Western Australia; Professor Rob Harcourt, from Macquarie University; and Brendan Donohoe, Chairman of Surfrider Foundation Australia. I urge senators and members of the House of Representatives and their staff to come along and listen to the very compelling evidence that these pre-eminent people will present to our forum on alternatives to the WA shark cull.

They will be backed up by the over 305 experts who have signed the letter of concern to the Western Australian Premier, Premier Barnett, and to the Minister for the Environment, outlining their concerns and opposition to the WA government’s proposals, which effectively take over 900 tiger sharks to catch potentially 25 great white sharks. Removing those apex predators will have a devastating impact on the marine environment. The letter of concern can be found on my website and many other websites. If people are interested, they can go and look at a very detailed explanation of the problems with the WA government’s approach to the shark cull.

Some of the alternatives that we will be talking about tomorrow include measures such as environmentally friendly shark barriers, which were trialled in Western Australia very successfully last summer; personal safety devices; South Africa’s Shark Spotters program, which is a very good program; and Brazil’s catch-and-release relocation program, which is a very different approach to the one that the Western Australian government proposes. These are all examples of non-lethal mitigation measures that have largely been ignored in the WA government’s public environmental review. One of the fundamental problems is that the WA government are the proponents of this proposal and are now the people that are actually carrying out the assessment. We are extremely concerned about the conflict of interest that is there.

One of the reasons why it is so important for federal members—and not just Western Australian members—to come along is that there are implications of what is happening in Western Australia and better approaches to the shark mitigation. Some of the states in the east have shark-kill policies and drum-line policies. So I urge all federal members to come along
or to send someone along to listen to the evidence, to listen to the science around these programs. In particular, because the federal government is going to be making the decision on this policy, it is important that people in this place understand just what impact this shark cull will have and understand the implications or lack of implications for safety or lack of safety. It is basically a PR exercise the WA government is carrying out to make people think that they will be safer in the water. It is clear that it will not make people safer in the water. The other measures that we are talking about will. It will not make people safer and it sacrifices nearly 1,000 sharks—and I have not even mentioned the other bycatch that will be impacted. I urge people to come along to our forum tomorrow to learn what can be done to address a non-lethal way of addressing sharks. (Time expired)

Civil Rights Act

Senator FAULKNER (New South Wales) (22:00): The 2nd of July this year marked the 50th anniversary of the Civil Rights Act in the United States of America. The act outlawed racial discrimination in schools, employment and accommodation in the United States, but it also inspired those fighting for racial equality in Australia.

The passing of the Civil Rights Act in 1964 was the culmination of a period of sweeping social change in the US. African Americans, many of whom had served their nation during the Second World War, returned to continuing racial discrimination at home. Civic organisations like the National Association for the Advancement of Colored People and Martin Luther King's Southern Christian Leadership Conference channelled this frustration into a series of protests that made the case for racial equality.

In 1950's Montgomery, bus boycotts followed Rosa Park's refusal to give her seat up for a white passenger. In 1960's Birmingham, school children and activists faced down police dogs and water cannons in the name of educational equality. The response was often brutal—church burnings, bombings and beatings became a frighteningly frequent presence on nightly news bulletins. In 1963, the newly elected Governor of Alabama, George Wallace, argued for 'segregation now, segregation tomorrow and segregation forever'. He stood in the doorway of the University of Alabama rather than allow two African American students to enrol. The violent response was unconscionable, but the case for change undeniable.

Wallace's belligerence convinced President Kennedy of the necessity of a civil rights act. That evening, Kennedy addressed the nation arguing:

I hope that every American, regardless of where he lives, will stop and examine his conscience about this. This nation was founded by men of many nations and backgrounds. It was founded on the principle that all men are created equal and that the rights of every man are diminished when the rights of one man are threatened.

A week later, the Civil Rights Bill went to Congress, where it languished, caught up in endless procedure. It took the death of a president, the horror of four girls burnt alive while attending Sunday school, and the determination of a Southern Democrat called Lyndon Baines Johnson to see the bill passed. The work of activists, students and unionists in creating the conditions for the passage of the Civil Rights Act was crucial. The arc of history is rarely bent by the efforts of one individual, but Johnson's determination and deftness in the harrowing months that followed Kennedy's assassination can never be discounted. In the words of British journalist, author and broadcaster, Gary Younge, 'He was prepared to risk the future of his party, as the young that summer were prepared to risk their lives.'
On 2 July 1964, LBJ signed the Civil Rights Act into law stating that day:

We believe that all men are created equal—yet many are denied equal treatment. We believe that all men are entitled to the blessings of liberty—yet millions are being deprived of those blessings, not because of their own failures, but because of the color of their skin.

He went on:

The reasons are deeply embedded in history and tradition and the nature of man. We can understand without rancour or hatred how all this happens. But it cannot continue. Our Constitution, the foundation of our republic, forbids it. The principles of our freedom forbid it. Morality forbids it. And the law I sign tonight forbids it.

The signing of the bill was not the end of discrimination. As Kennedy had reminded his nation a year earlier, 'law alone cannot make men see right'. But the passing of the Civil Rights Act set the United State of America on a new trajectory and helped it develop 'a more perfect union'.

The 1964 Civil Rights Act is the crowning achievement of those courageous protestors in places like Birmingham, Selma and Montgomery and of the politicians who placed human decency before self-interest. The actions and achievement of these protestors and politicians inspired those who were fighting for racial equality elsewhere.

In 1965, one year after the Civil Rights Act, a group of students from the University of Sydney travelled throughout rural New South Wales challenging the segregation of pools, parks and pubs in our own country. Of course, their bus tour was to become known as the Freedom Ride.

Almost a decade later, the party of reform led by then Prime Minister Gough Whitlam introduced the Racial Discrimination Act. To paraphrase Whitlam, the Racial Discrimination Act affirmed our opposition to all forms of racial discrimination, and ensured that the dark forces of bigotry and prejudice which prevailed so often in the past will never again be able to exercise influences far greater than their numbers in the community.

We should recognise and respect the Civil Rights Act and the commitment and the sacrifices that made it a reality 50 years ago. We should be wary of any attempts to turn our backs on this heritage and the greater social harmony that it led to. Instead, I would say, in the spirit of the act and in the spirit of its Australian equivalent: let us guard against bigotry, not encourage it, confident—absolutely confident—that racial diversity is one of Australia's greatest strengths.

**Budget**

**Senator WRIGHT** (South Australia) (22:09): On 13 May this year, the coalition government handed down a budget that was really quite unprecedented. I have seen quite a few budgets come and go in my life span, but I am hard pressed to think of a budget that has attracted such universal condemnation from people right across the political spectrum in terms of its unfathomable burden—the burden it places on some of the most disadvantaged people in the community. I have heard people—again, across the political spectrum—asking how people in the government could actually think that this was a good idea or fair. As the implications of the budget have filtered through, both that night when it was handed down and over the following days and weeks, Australians in all walks of life have reacted very strongly.
It is hard to narrow down which of the government's budget measures is the most damaging or callous, because the cuts are broad and deep, to services and to the structures that support some of the very things that we value and take pride in in Australia—the land of the fair go, we used to call ourselves—like health, education and, essentially, the safety net that we have always prided ourselves on, in terms of making sure that those people who are really battling are not left behind or abandoned.

So it is hard to narrow it down, but tonight I want to focus on the impact of the 2014 budget on young people, and I am going to focus particularly on the mental health and wellbeing of young Australians, because I am fairly well acquainted with that. I am indebted to John Mendoza and the team at ConNetica whose Budget 2014 Policy Briefing Papers give a breakdown of the key health and mental health measures coming out of this year's budget. The papers were prepared by John Mendoza, Sebastian Rosenberg and Lesley Russell, and they conclude that young people will do more of the heavy lifting than any other group in Australian society to get the budget back in the black.

It seems that this government has young people in its sights—and I will go through the evidence for that just from the budget cuts. But first I would like to unpack this phrase, 'young people'. As the ConNetica report suggests, it appears that the Abbott government sees adolescence as a period now spanning a couple of decades, because we see discriminatory measures, based solely on age, against Australians aged up to 29; under 30, with the Newstart measures; and, indeed, even up to 34, when it comes to changes to the Disability Support Pension. Since when in Australia do we lump those in their late 20s or even their early 30s under the rubric of 'youth'? And since when has it become acceptable to discriminate against people on the basis of their age, particularly when they are in their late 20s or early 30s?

As a result of the budget, 'young people' will be hit, with new arrangements for those under 35 receiving the Disability Support Pension—allegedly with a view to increasing employment. And more employment options for people who have a disability would be a very good thing. More employment options that will actually, genuinely see people being able to enter and sustain employment would be an excellent thing, because many people with disabilities and mental ill-health desperately want to be part of the workforce and desperately want to be able to be employed. But the assessments indicate that this will just create more barriers and fewer services for people, rather than going with the evidence of decades which shows that it is the provision of post-employment support that actually assists people to enter and sustain employment.

The budget has also hit the Youth Connections program, a program targeting young people at risk of disengagement from education and/or employment. I recently had the opportunity to visit Employment Options, which has links with Youth Connections, in Mount Barker, a suburb on the outskirts of my home city of Adelaide. Each year, that organisation helps 1,700 South Australian young people to get back into education or employment. I met some young people who had benefited from the program, and they have an outstanding success rate. The alternative is that often young people will end up isolated, withdrawn from schooling and employment, and, in some cases, destined to spend a life without being able to achieve their potential and, ultimately, spiralling into worse and worse mental ill-health. It was a good, effective program to support youth—and it is gone.
As of yesterday, the government has also cut the Tools For Your Trade payments that assisted young apprentices in paying for their tools and training.

And what about university fee changes? There will be dramatic increases in university fees from 2016, and increases in the cost of borrowing to pay those fees will make university degrees ever more unattainable, leaving many young people unwilling and unable to take the risk of incurring debt, particularly those who do not have wealthy families to support them and to ensure they will be able to manage that debt—and who have an aversion to debt. They ultimately will not be able to take that step. I have spoken to young people who are in that situation now.

Perhaps worst of all we have the changes to Newstart allowance, which in some cases will mean young people—and again I am talking about people potentially up to the age of 29—without any income for periods of up to six months. The government is also planning to force young people to relocate for work or risk using all support. That is a measure which suggests there is an idea that, somehow, someone who may be 27 or 28 or 29 may not have a life. They may not already have children in schools in particular areas and yet, if they become unemployed and are not able to obtain employment, they may end up in a position where they have no supporting income for a period of up to six months.

To top it all off, the age of eligibility for Newstart allowance and sickness allowance will increase to 25 for new applicants. So young job seekers aged between 22 and 24 years will now be considered very young and will still be receiving youth allowance until they turn 25. These are all parts of the government's attacks on young people, and it will have the effect of making young people who receive support payments feel like second-class citizens.

What are the implications for the mental health and wellbeing of these young people? Who will take care of them when the pressure becomes too much? What services will they have access to? Given the funding for mental health in the budget, the prospects are not looking very good. The 2014 budget included just $56.3 million over four years in new spending on mental health programs, and that was the lowest in more than a decade. Of this, $32.9 million was to meet election commitments, but it was offset by cuts of $53.8 million over two years. They give with one hand and take away with the other.

This is from a government that does not even have a dedicated mental health minister. We know that young Australians are already struggling with poor mental health and wellbeing. Mission Australia and the Black Dog Institute recently released a report about the mental health of Australian young people, which found that one in five young Australians are likely to be experiencing mental illness and that our young people are now more likely to die by suicide than in a car accident. These are chilling statistics.

Young people are particularly vulnerable when it comes to poor mental health, making prevention and early intervention crucial in supporting them to live full and happy lives. Half of all lifetime mental health disorders emerge by the age of 14, and three-quarters by the age of 24. Yet it seems that these government policies, embodied in the budget are making it impossibly difficult for young people to get the support they need. It is creating a sense of increasing insecurity and despair among many young people.

We are told we must 'earn or learn', while the support and the assistance to do either is being stripped away. So there are no trade support loans to make tools for apprentices
affordable; deregulating university degrees so degrees will become further and further out of reach for those without a bottomless bank account.

In their report, ConNetica talk about a 2012 survey by the Brain and Mind Research Institute which found that nearly one in five young men aged 16 to 24 years had considered life was not worth living, and one in 10 seriously considered suicide in the previous 12 months. These policies have an effect. In Europe they found that, after the global financial crisis, austerity measures adopted by European governments led to significant increases in suicide in the countries where harsh measures were introduced.

Our young people are our future. Not only do we have a responsibility as policymakers to ensure that we allow young people the opportunity to feel hope, to feel that they have an opportunity to achieve their potential and reach for the stars; we also must make sure that we have the supports and services available for them when they need assistance and support.

The policies, the messages that we send young people in everything that we do—including measures like those that we are seeing in the federal budget this year—are important in giving young people a sense of hope in the future, or doing the alternative. This is a harsh budget—(Time expired)

Underwood, His Excellency the Hon. Peter George, AC

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (22:19): It is with great sadness that I rise to speak tonight on the recent death of the Governor of Tasmania, His Excellency, the Hon. Peter George Underwood AC. Peter's life was one of great service to Tasmania and to the Tasmanian people. While not a short life, it was perhaps shorter than it could have been, and that is a loss to us all.

I know I can speak on behalf of all Tasmanian senators in this place, and the broader Tasmanian community, when I say that Governor Underwood was a good man, and a great man, respected by all that had the fortune to meet him. In my personal dealings with him, I found him to be warm, caring and witty. He was a learned man with a brilliant mind, dedicated to the law, the arts, legal education and social justice. He was a dedicated professional, an absolute gentleman, a courageous and honourable leader. He served as Governor of Tasmania with distinction for six years and three months. He brought dignity and gravitas to the position of governor. Tasmania is a better place, and the role of governor has been enhanced, by his service.

Like many that live in our nation and serve it with dedication, Peter was born overseas, arriving by boat from England as a teenager in 1950. He spent his adult life in, and dedicated to, the state that he loved so dearly, Tasmania. He studied and practised law in Tasmania. He married in Tasmania and raised children in Tasmania.

He practised law as an advocate for 20 years, including for the Commonwealth on the Franklin Dam case, and also served for over a decade as the Director of the National Heart Foundation. From 1984 he began his service to the people of Tasmania as a judge of the Supreme Court, as chief justice from 2004 to 2008, and finally as governor. His dedication to public life was all encompassing.

The role of governor is not an easy one, or one with duties that can be taken lightly. It takes a special kind of person to fill the role well, and Tasmanians know that only too well. Peter was not only more than qualified for the position; he also had the personal qualities to match.
The skills and detailed understanding of the law he developed during his career as a judge and chief justice served him and the people of Tasmania well in his role as governor of Tasmania. His advice to the premiers of our state was thoughtful, measured and considerate. As former Premier David Bartlett said:

[He had] an extraordinary legal mind made purposeful with wit and incredible attention to detail.

Peter was a man respected widely, both before and during his time as Governor, and this was recognised by a number of honours and distinctions he gained through his career. In 2001 he was awarded an honorary Doctor of Laws degree by the University of Tasmania in recognition of his service to legal education, the arts and the administration of justice. He was appointed an officer of the Order of Australia in 2002 and was invested as a Companion of the Order of Australia in 2009 at Buckingham Palace by the Queen.

As a compassionate and generous man, he had the remarkable ability to quickly and genuinely connect to people from all walks in life—a trait that led to him being called 'the people's Governor'. Whether in Government House, at a school or on a farm, he was at ease and made others at ease. Whether he was visiting small groups or large ones, he had the ability to make every person he talked to feel special and valued. It is but one of the many wonderful personal traits he brought to the role.

Peter was a man of deep faith and conviction. He would always choose the path that he believed was right, even if he knew it might not be popular. It was this faith that guided him in his own actions and in the values he put forward in his speeches. A key theme of his addresses was peacemaking: a concern for addressing the causes of conflict in order that conflict would be resolved by peaceful means. While this theme may not have been popular with some, it is a theme that we should all, both in this place and in the broader community, reflect upon more.

Peter always acted with great integrity. Whether during his time as a lawyer, a judge or Governor, he was respected as an honest man who treated fairly all those he dealt with. He was dedicated to legal education—an area that he was passionate about. He saw it as his responsibility as a learned legal professional to help train the next generation of legal professionals. Even as Governor, he still dedicated part of his time to giving an occasional lecture or providing advice or guidance to young lawyers. Peter also reformed case management in the Tasmanian legal system. When he retired as Chief Justice, he was described by fellow judge Ewan Crawford as a driving force behind improving the quality of the service the court provided. The legal profession in Tasmania is more professional and wiser through his efforts.

But there was more to Peter than just his professional life. He was a loving and caring husband, father, step-father, father-in-law and grandfather. For him, family was the foundation for everything, which could be seen in the way he absolutely adored his grandchildren. He felt the Tasmanian people were an extension of that family and treated everybody with the same concern. Peter had a great love of the sea and served in the Royal Australian Navy, first as a national serviceman and then in the Reserve as a sub-lieutenant. This love of the sea continued throughout his life.
Peter had a lifelong passion for the arts. He served as chairman of the Tasmanian Symphony Orchestra board from 1997 to 2006, a period in which the TSO broke away from the ABC, and played a large part in its continued survival. The current chairwoman, Pat Leary, said he 'put in place the company and the orchestra which leaves a legacy forever of a world-class symphony orchestra for the people of Tasmania'. He was also instrumental in the development of the TSO's new home, the Federation Concert Hall, where his state funeral will be held on Monday. Before becoming Governor, he also held directorships on the Tasmanian Theatre Trust Board, the Tasmanian Arts Advisory Board and other performing arts organisations.

Not only was he concerned with legal education, he was concerned with education more broadly. He served as chairman of the Executive Committee of the Board of Governors of the Friends' School from 1989 to 1994, a school that he cared for greatly and where his wife Frances was principal until her retirement in 2004. Peter's life was one of service to the Tasmanian people, of love to his family and those around him and of learning and the arts. Perhaps he is summed up best in a quote from his step-daughter, Madeleine Ogilvie, who said to me that he was a man of 'deep intellect, moral courage and integrity'.

I would like to take this opportunity to pass on my sincerest condolences to his wife Frances, children and step-children Jean Lopes, George Underwood, Sophie Underwood, Sarah Heathcote, my dear friend Madeleine Ogilvie, Lucy Ogilvie, William Underwood and his many grandchildren. Tasmania has lost one of its most dedicated and passionate advocates and one of the finest men to hold the position of Governor. Peter left the state better for his service to it and we all owe him a great debt of gratitude. He will be fondly remembered by all who have had occasion to meet him, including me. The people of Tasmania will truly miss 'the people's Governor'.

**Global Fund**

Senator SINGH (Tasmania) (22:27): I rise this evening on behalf of the three million men, women and children who are killed each year by AIDS, tuberculosis and malaria. I do so by supporting very strongly the determination of RESULTS International, particularly its Tasmanian volunteers with whom I have been engaging very closely on this and other issues related to their organisation's efforts to end poverty. I want to highlight that next week Australia will host the International AIDS Conference in Melbourne between 20 and 25 July. That will be an ideal opportunity for the government to seriously consider providing an additional $125 million to replenish the Global Fund—much needed international development assistance to the Global Fund to fight AIDS, tuberculosis and malaria.

An extra incentive for Australia to provide additional resources to the Global Fund is that Australia is a voice on the board of the Global Fund for continued investment in the Asia-Pacific region. From 2004 to 2013, Australia contributed $400 million to the Global Fund and in this period the Global Fund invested $4 billion in the Asia-Pacific, emphasising the Global Fund's importance for our region. Pledges to the Global Fund at the pledging conference in December 2013 and contributions that several donors have announced since December have provided the Global Fund with a total of US$12.2 billion for the 2014 to 2016 period. However, these pledges represent a shortfall of US$2.8 billion over three years from the US$15 billion the Global Fund had been seeking to meet its demand.
Results International have advocated strongly that an additional contribution of $125 million to the Global Fund, by the Australian government, which would take Australia's total contribution over three years to $325 million, is much needed. The impact of an additional contribution by Australia to the Global Fund could be multiplied up to 10 times in the Asia-Pacific region. Under Labor, Australia's contribution to official development assistance grew with every budget. In 2006-07 the Australian government invested $2.9 billion and by 2013-14 that amount had almost doubled to $5.7 billion. The Global Fund is working to eventually eradicate deaths from AIDS, tuberculosis and malaria. Therefore, an increased investment in the period 2014 to 2016 is crucial to accelerate progress in reducing the death toll from these diseases.

Part of the Howard government's pledge to the Millennium Development Goals was its commitment to a time line for Australia to contribute 0.5 per cent of its gross national income to overseas aid. Labor honoured that commitment. However, two days before the September election, the then Abbott opposition announced it would dishonour that commitment. The following examples show the impact of the scale-up in detection and treatment of AIDS, TB and Malaria by the Global Fund and other donors: between 2002 and 2012, the number of people on antiretroviral therapy, ART, to treat HIV and AIDS had increased from 200,000 to almost 10 million; the number of deaths from TB has declined by 40 per cent since 2000, due to advances in both detection and treatment of TB; since 2000, the proportion of African households which have an insecticide treated bed net to protect them from mosquitoes carrying malaria has increased from three per cent to 53 per cent and the number of deaths from malaria has fallen by 33 per cent.

In the Asia-Pacific region, the Global Fund has supported the following outcomes: 38 million people treated and counselled for HIV and AIDS; 5.1 million people tested and treated for tuberculosis; 29 million insecticide treated bed nets distributed to combat malaria; and 7.4 million health and community workers trained. Nevertheless, the three diseases continue to have a significant impact in the Asia-Pacific region, as the most recent figures from 2009 demonstrate. The 35 countries in the Global Fund's Asia region were home to five million people living with HIV; the Asia region accounted for 8.5 million cases of TB, 60 per cent of the estimated global total; the region also includes half of the 22 high-TB-burden countries; there were 131 million suspected malaria cases in the 35 countries of the Asia region, more than half of the global total.

The Abbott government's $7.6 billion cut in foreign aid will not provide 1.5 billion lifesaving malaria treatments. It cannot deliver antiretroviral treatments for 10 million people with HIV and AIDS. HIV and AIDS is still a disease with no cure and remains a global epidemic, often forgotten in the western world. As Australians, we must work towards an international dialogue on the prevention of HIV/AIDS. That is why this international AIDS conference, which is being held in Melbourne next week, is so important.

The International AIDS Conference is a fantastic opportunity for Australia to develop prevention policies and engage with experts in policy and science. That is exactly what we need to do as members of parliament as well. I take the opportunity to thank Senator Dean Smith, who I recently joined in becoming co-chair of the parliamentary group for HIV and AIDS, for his knowledge and input into issues around HIV and AIDS to do with the upcoming conference, which we both hope to attend.
It is particularly important that we update Australia's HIV policy within our aid program to include TB-HIV integration as recommended by the World Health Organisation. This is because TB is the leading killer of people living with HIV, causing one in five HIV-related deaths. TB is the most common presenting illness among people living with HIV, including those who are taking antiretroviral treatment. At least one-third of the 34 million people living with HIV are infected with latent TB. As the host of the International AIDS Conference 2014 and in the light of the international community's consideration of setting goals looking to end the death toll from AIDS, TB and Malaria, Australia has an opportunity to display strong leadership by announcing a supplementary pledge to the Global Fund.

Achieving these goals will undoubtedly require an increased investment now, to make prevention and treatment available to all people who need it, and to improve the present screening methods and medication, especially for TB. The government has the chance at this international AIDS conference to earn back some of its global respect that it has lost—of course, the respect that it has lost not only in this policy area but also in other policy areas, such as climate change that we were debating earlier in this place. The government has this opportunity to earn back that respect by making a clear commitment to the international community that it recognises a great need, and it wants to help. I am pleased that Australia is hosting this international AIDS conference in Melbourne next week. It will be an opportunity for Australia to highlight its efforts towards HIV and AIDS. It will also be an opportunity for us to make a pledge that we can do more and should do more, as we did under Labor and as has not, unfortunately, been honoured under this government. This is an opportunity for them to reverse that. Let us hope they do this at this HIV-AIDS international conference in Melbourne.

Veterans' Affairs

Senator O'NEILL (New South Wales) (22:37): 'To honour their memory and sacrifice, to remember their commitment, to thank them for their service': these are words we here when we speak of our veterans. Veterans affairs have always been off the table when it comes to political point scoring. Both major parties generally have respected that. However, right now we are seeing a degradation of that fact by this current government. The Prime Minister talked a pretty big game during the election. 'Standing up for veterans' was one of the catch cries we heard. The Prime Minister promised to index the DFRB and DFRDB pensions. These are vital schemes but they impact only one-sixth of all veterans. In contrast, this Prime Minister is cutting the indexation to all other veterans, in a move which can only be described as 'cynical'.

This government has robbed Peter to pay Paul. Worse still, they have robbed one set of veterans to pay another. While superannuants in those schemes—the DFRB and the DFRDB—will be better off, veterans surviving on the service pension will absolutely be hit. Those on the DVA disability pension will be hit. Those surviving spouses will be hit.

In government, Labor implemented a range of policies to support veterans. Labor increased the veteran income support pension and legislated for a twice-yearly indexed increase, a policy so successful that the coalition recently tried to claim credit as its own—another lie. Labor invested over $90 in mental health services and support for veterans, substantially increased the number of mental health workers for veterans and invested in research funding for enhanced prevention strategies.
I want to put on the record this evening concerns which have been raised with me by former students of mine who now have reached the end of their careers in the services, who have served up to nine tours of duty in the war zones of Afghanistan and Iraq, who are pleading with me for care for their fellow veterans, easy access to deal with post-traumatic stress disorder and other challenges that arise after their years of having given such service to democracy in places of high conflict.

In government, Labor's record of $12.5 billion funded a raft of new services for our former servicemen and women, but nothing is safe from the slashing and burning of an equitable society in the eyes of this coalition government. We delivered new measures on mental health. We delivered better access to medication and better support for families. These were very effective reforms which required us to act, but there is so much more that needs to be done. For example, it still takes far too long for many veterans to process claims for compensation. But we see this heartless Abbott government also axing the three-months backdating of veterans' disability pensions for successful claimants. This will be effective from 1 January, 2015. This backdating was so important for disability pensioners because they often found themselves caught up in a process with backlogs of bills they needed to address.

Under the coalition government, we have seen the slashing of $107 million from the veterans' affairs budget. These cuts will hurt 280,000 former service people and their families. And this is from a Prime Minister who promised and promised, who lied when he said that he would not cut pensions. Clearly this is a terrible failure, a broken promise and veterans should not forget that betrayal of this Prime Minister. The coalition has desperately tried to hide these cuts. It was only through sustained questioning in Senate estimates that the truth of what they were up to was finally admitted by the department itself. This is a shameful way to treat the ex-servicemen and women of Australia, whose unique contribution has kept this nation safe.

Veterans and those suffering from injuries, who have served our country, will have to now manage these cost-of-living hits at the same time as they are coping with new tax hikes like the proposed GP tax and the petrol tax hike. All these will affect older Australians with a Commonwealth seniors health card or a gold card. The coalition will also be scrapping the seniors supplement, which has been vital in helping seniors make ends meet, while paying the many costs of living that are part of their retirement—at a time when they are supposed to be enjoying their life. This government is determined to make it hardest of those who have the least. It is worst for those who are most vulnerable. This will be a cut of up to $800 each and every year for veterans.

In another blow to veterans, military and other un-taxed superannuation income will be counted as income when applying for a Commonwealth seniors health card. Also hacked away by the Abbott government are the deeming rate thresholds which are will be moved, hitting the part-pensions of some veterans with few assets. The Prime Minister is telling our veterans and thousands upon thousands of ordinary Australians that they must take a permanent cut to their income and their ability to cope with cost of living pressures, while he is only asking wealthier Australians to cop a two per cent tax increase for three years and politicians to take a pay freeze for one year. It is just so completely unfair, but that is the signature of every policy this government is bringing to this place. Not only has the Liberal government played with the numbers for veterans' pensions but, as we may remember in this
place, only a few days before Anzac Day this year, we also found out that the Abbott government was closing nine Veterans’ Access Network offices in Victoria and New South Wales, including one on the Central Coast, in Gosford. There are two Liberal members who have no voice on this issue, who are silent on this issue, who go out and parade themselves as supporters of veterans, who attend functions where the veterans gather and pretend that they offer support while they see these services being ripped away and while they support the lies of this government.

By shutting down the Gosford DVA office and other eight, the Abbott government is forcing veterans to travel to get face-to-face support and queue alongside job seekers at Centrelink. Can you imagine for a minute, Mr Acting Deputy President, that we have veterans lining up at Centrelink. These are men and women who may have experienced post-traumatic stress, who go to seek assistance, and that is the place where they have to go. There is no specialised care, no special place for them. They are not worthy of it, in the eyes of this Abbott government, which is determined to cut away at the very fabric of this society. Closing a stand-alone VAN office, a place dedicated to the care of veterans, is a slap in the face to those who have served their country and who deserve specialised personal care. The VAN offices play a very important outreach role by attending local veterans’ organisation meetings and providing valuable individual attention to local veterans.

Some of our young veterans, as I have said, have served as many as eight or nine tours of duty in Afghanistan. An experienced person who actually understands post-traumatic disorder and other veteran-specific needs is actually vital. This is not an optional service; this is the core respect that we should be showing our veterans. Yet this government tried to hide it, they have been revealed and now they are continuing to rip away at the very service support that is the right of our returned veterans.

This is a government that told veterans that they care about looking after them, but we are seeing revealed here in this parliament the real view of veterans from those opposite, with cuts to services and cuts to payments that veterans rely on and replacing them with a web page, barely a ‘sorry’ and a phone number. Closures are going to particularly affect our older veterans and war widows, who may have no access to a computer and who may have relied on these local services for many years. Our veterans and their families deserve respect and gratitude—not more lies from a deceptive and miserly government.

Abbott Government

Senator MADIGAN (Victoria) (22:47): The Senate is a house of review, yet its role is to be a powerful check on the government of the day. But that depends, of course, on the government. It depends on how the government decides to govern and how it decides to administer the passage of legislation. This process comes under pressure in circumstances like those of the present. Today we have a crossbench that carries the deciding vote. Our current situation, a crossbench that holds the balance of power, is exactly what the Senate was designed for. The proportional representation system of voting that elects senators makes it easier for independents and candidates of the smaller parties to be elected. The fact that we have the current crossbench is not an aberration. It is a sign that our democracy is working. It is a sign that our democracy is working in the way it was designed to work. But the process of legislation is more open to exploitation when a number of those crossbenchers are new to the process.
However well-intentioned or determined, parliament is not a game for amateurs. I have had the privilege to serve in the Senate for three years now. I am the first to admit that the learning curve has been steep, and for me it continues every day. As we address current legislation, I and my staff have attempted to maintain an open door policy. We have received more than 1,000 written submissions in relation to the Future of Financial Advice legislation, for instance. My office has fielded hundreds and hundreds of phone calls, and I have met personally with more than 50 industry and community representatives. We have all burned the midnight oil.

It is a privilege to serve in the Senate. I am here because of the people I represent. It is a responsibility I do not take lightly, so I am deeply concerned by recent developments in this place. I am concerned how the government and the opposition are going about negotiations. I am concerned about how both sides of politics are seeking to exploit the inexperience and naiveté of our newest senators.

Politics is a tough business, to be sure. It is not for the faint-hearted, but much was at stake today. The future life savings of ordinary Australians were in the balance. What we have seen in this place over the past week—and today especially—frankly appals me. I am ashamed of the political shenanigans and tap-dancing going on here. We have seen ministers and members of the opposition come onto us on the crossbench with all the charm and truthfulness of used car salesmen and women. The Senate has become a house of legislative tricks and backroom deals; and, over the past week, this has become rampant. We have senators promoting themselves as political heroes, only to ultimately fail. I suspect Senator Cormann would be cock-a-hoop over the deal he negotiated today with the Palmer United Party over FoFA. The PUP's supposed historic achievements are in fact little more than affirmations already supported in the Corporations Act. Mainly, they are already covered under existing financial advice laws. Today was little more than a sideshow con trick by the government. And according to the letter to Mr Palmer from Senator Cormann—tabled in the Senate this afternoon—the Palmer requirements to not disallow the FoFA regulations were a result of discussions this morning. That is right—a mad rush of double-dealing out of the public spotlight at the eleventh hour. Where was the review? Where was the careful examination of argument and debate? These regulations should not have been voted on today. Rash decisions were made. And the government is not alone. The ALP's hastiness to pass the disallowance motion quite possibly led to its ultimate failure.

We have seen hubris today. Scandals will follow. Is this a singular example? Absolutely not, and I refer to an example last week. The Clean Energy (Income Tax Rates and Other Amendments) Bill 2013 was removed from the carbon tax package minutes before the Senate subsequently voted on it. This was done without any warning or notice. The clean energy income tax rates bill will blow a further $2 billion hole into the budget with little reward. Taxpayers earning between $25,000 to $65,000 will be $83 a year better off. Those earning over $80,000 will be $13 better off.

It infuriates me that this bill was voted down at a time when we are purportedly facing a budget emergency. I would have preferred to see this $2 billion spent on families. Instead, it goes on an ideologically based tax cut. This was a stunt. It achieved nothing but headlines and coverage. It allowed the few to shine in the warm glow of publicity, but it did no service to the Australian community.
I urge all in this place to slow down and to act with care. I urge all to consider their decisions and remember why they are here. We are a house of review, not a poker game. While the stakes are high, so too is our responsibility. History will judge us by our actions.

New South Wales: South Sudanese Community

Senator RHIANNON (New South Wales) (22:54): I recently met members of the South Sudanese community living in Sydney. It was a most informative meeting. We discussed the challenges members of this community face and I heard of a range of practical measures that would make such a difference to their lives. Members of this community have largely arrived in this country since the mid-1990s through Australia’s humanitarian program. Most have settled in Victoria and New South Wales. The total number of South Sudanese living in New South Wales is approximately 6,000 with about 5,000 living in Sydney. According to the 2011 census, nearly half of all South Sudanese who made Sydney their home live in the Blacktown area. Other areas with a considerable number of South Sudanese include Parramatta, Holroyd, Penrith and the Liverpool Council areas. I did find this a very valuable meeting because the people I met with had a range of suggestions on how the people living in these suburbs could benefit from a range of programs that are needed considering they have been in Australia a short time and they are still adapting to Australian life.

Many of these people have experienced trauma prior to coming to Australia. The refugee experience South Sudanese have had before coming to Australia can be characterised as difficult and mostly under inhumane conditions. Life for them in Western Sydney can also be difficult and at times harsh. I was very disturbed to hear about the high levels of unemployment and the difficulties that they find getting work, and at times the racism that they encounter. Significantly, about 75 per cent have taken out Australian citizenship. According to the Department of Immigration and Citizenship, the unemployment rate among South Sudanese is 28.6 per cent. That compares to about 5.6 per cent among the Australian population. I found that a really alarming comparison. The unemployment rate among these people in Australia is much higher than the Australian average. This needs to be addressed.

At the meeting I held with members of the South Sudanese community, I heard about the low participation rate in the workforce and the high unemployment rate that they face. Many have qualifications and skills gained prior to coming to Australia and have not been able to translate these qualifications and skills into meaningful employment because too often the Australian employment market just does not recognise them. Even after getting some qualifications here through TAFE and university, many still find it difficult to gain employment.

I was very disturbed to hear how common it is for South Sudanese to take jobs below their qualifications and skills. Many who obtain degrees here are forced to take factory jobs because they cannot find the jobs equivalent to their qualifications. The reason given by employers for not employing these university graduates is that they do not have Australian work experience. Some South Sudanese have identified racism as often being a factor in why they get job knock-backs.

The Australian workplace is different from what South Sudanese might have experienced prior to coming to Australia. For example, things like using a computer or answering phone calls are skills that many South Sudanese do not have and they have not had the opportunity to develop them. The Australian workplace culture is not familiar to everyone. This may also
mean that some South Sudanese do not quite understand the work culture and how to sell their skills to an employer—for example, how to write up a curriculum vitae dealing with selection criteria and drafting a cover letter showcasing their skills, knowledge and work experience. This could be a challenge for many Australians let alone for people who have recently arrived in Australia.

I detail those aspects of going for a job because this is where assistance can be given to these people in quite an easy and straightforward way. The people I met from the South Sudanese community have some very practical ideas on how these problems that can lead to other complexities in our communities can be addressed. The South Sudanese community leaders I met with really did have a wealth of ideas to overcome the barriers. Some of the things that they suggested included providing job ready training tailored to the needs of the community members that covers computer skills, the use of the phone and how people relate in the Australian workplace. They also spelt out the need for writing skills, particularly how to prepare materials needed when one applies for a job. How to find referees is something that is also needed.

An excellent idea offered was for government departments and private businesses to be recruited into a program that offers job placements. Another suggestion—again, a simple one—that a number of them put forward was how mentoring and volunteering work could help South Sudanese gain the work skills and work experience that can often be the first stage in finding a job. Obviously, volunteering work is something that can increase their employability. The opportunity to foster self-employment and small businesses was also taken up with me. This can open up considerable pathways and is another area where government support could bring considerable results.

I must admit that the issue of housing comes up with many, many communities that I meet with, but this was particularly acute for South Sudanese people. Finding suitable and affordable accommodation is not easy. With a medium income of below $300 a week, South Sudanese families really struggle. They struggle to find housing and they struggle to pay the rent when they do. I have got to say that so often, when reading about the material and hearing about their experiences, it does sound like racism is again a factor in the knock-backs that occur when people apply to rent a place. I was told how real estate agents seem to avoid offering South Sudanese people accommodation. Real estate agents also seem to prefer to offer accommodation to people who can pay a little bit more and who are financially more likely to pay rent on time and on a regular basis.

It is common to hear stories of South Sudanese families in Sydney losing their tenancy about six months into their rental period. The most common reason real estate agents give for termination of tenancy is that the landlord is selling. The other reason real estate agents commonly state for termination of tenancy is unpaid arrears. When a South Sudanese family is evicted, it takes them at least a couple of months before they find accommodation. So what happens in the meantime? In the meantime, they stay with relatives or friends, possibly in one house, or they split up and live in different houses with different people.

The effect, obviously, is that those houses are overcrowded, as friends, colleagues or extended family members take in these people. Sadly, what it sometimes means is that families do break up—they are separated. Overcrowding often leads to conflict between families as the host family or families feel the pressure put on their resources and utility bills.
This also has the potential of speeding up wear and tear on the accommodation. So you can see a whole number of social problems flow from that.

The public housing is rarely an option, because of the way it is managed under the New South Wales coalition government. It is getting harder and harder for low-income families to gain public housing in New South Wales. I mentioned the median income for South Sudanese people previously. It comes in at about $300 a week. Clearly, property ownership is out of the question for the majority of these people. Again, members of the community and some of their community leaders have real, achievable solutions here that should be noted. The Department of Housing could employ a worker to work with disadvantaged communities like the South Sudanese community to build trust with real estate agents so that they having an understand on both sides: for those who are renting, it is what their responsibilities are; for the real estate agents, it is ensuring that there are no racist practices creeping into how they conduct their businesses.

The Department of Housing should increase housing stock to ensure that the waiting time for housing is reduced significantly. South Sudanese could be assisted through social housing planning to acquire properties that are affordable and suitable. I certainly acknowledged that they are long-term measures, but they should not be lost sight of. A responsible government would be working with communities who have chosen to seek asylum here and who have been settled here. The assistance needs to continue. Clearly, housing issues need to be addressed. Just with regard to the issue about employing somebody and the suggestion that the Department of Housing could employ a worker to work with disadvantaged communities, it has been suggested that that person could provide tenancy education to ensure that South Sudanese understand how the tenancy system works in New South Wales and to ensure that they know what their rights and obligations are.

South Sudanese cultural and social interactions are somewhat different to what those of us who have grown up in Australia experience. There are simple and immediate measures that New South Wales authorities could take to assist this community with their own development. Again, they are just very practical measures like improving access to community halls and meeting rooms, especially those owned and managed by councils, schools and community centres. This is a very rich community. They want to spend time with members of their community. Sometimes the young people want to be together, sometimes they want to have mixed events or sometimes they just want to hang out together. Facilities could easily be provided. It would not take much organisation and obviously it would be very little cost to achieve this. This would help ensure that South Sudanese community members can participate in positive, culturally appropriate activities.

I do acknowledge that there is an outreach program operating at Parramatta Park, which is one of the areas where many of the South Sudanese community live. It is led by the police, Parramatta City Council and other service providers. To ensure that the outreach program is ongoing, the New South Wales state government does need to provide funding to ensure that activities such as the weekly barbecue or the monthly meetings continue. Members of the committee are concerned in this era when they are hearing about government cutbacks that the funding must be cut back because of the so-called budget crisis. They are very troubled by this and worried that the very few services they have could be lost. That is something else that
the government needs to address. It needs to give certainty that those programs will continue. When you consider how minimal they are, clearly they should be expanded.

What is also relevant in this discussion about the needs of the South Sudanese community are the pressures that they are under due to the situation in their own country. This adds a burden on members who are already here because between December 2013 and April 2014 over 10,000 people died, about a million were displaced and there was massive destruction of property and infrastructure in South Sudan.

Remember many of these refugees have only been here for a short time and how stressful it would be to hear about these disputes, wars and destruction going on, not knowing how your loved ones were or what had happened to your neighbourhood and those you had left behind. Reports in recent months that the government of South Sudan has not been paying wages also adds to the pressure. I am hearing about people sending money home to their relatives. These are all issues that are very relevant for the authorities when they are working with this community.

The South Sudanese community in Sydney has been affected by the civil war in many ways. At least one South Sudanese who had lived in Sydney was killed in the war. There are many more South Sudanese Australians who are in South Sudan and might have been caught up in the civil war. South Sudanese Australians have lost property and investment, I understand, as a direct result of this war, and many have lost friends, relatives and family members. So the trauma that they had escaped and obviously stayed with them when they sought asylum here was probably reducing to some extent depending on their circumstances, but you could imagine that it is rising again as they hear about what is happening in their homeland, talk about it and try to work out what should be done.

Local South Sudanese have been helping to evacuate family members and relatives from the immediate danger of the war by paying for their evacuation to safety. Financial support is often ongoing, putting the South Sudanese living in Australia under considerable hardship. The South Sudanese I met have some very practical ideas on how the government could respond at the international level to this very worrying dispute in South Sudan. Australia through the Security Council could put pressure on the warring parties in South Sudan to stop the war, supporting the ongoing South Sudanese peace process in Addis Ababa and calling on the parties to negotiate in good faith and address all the outstanding issues without delay. It would help move to a final political settlement. International bodies such as the United Nations, Human Rights Watch, Oxfam and Amnesty International should be supported to investigate the human rights violations by the warring parties and to bring responsible parties and individuals to justice. That was one point raised very strongly with me as a very practical way a number of international community groups and non-government organisations could assist.

I would very much encourage governments at all levels to engage with the South Sudanese community. I was deeply moved by the stories that I heard about what they have left in their homeland and the work they are undertaking—paid work, volunteer work, work with their community within Australia. As a community that has only recently arrived here, it is under enormous pressure. Racism, sadly, at times is part of the challenges that they face, and clearly we all have a great responsibility to engage with this community, learn from them and work with them so that they can become a rich part of Australia.
Senate adjourned at 23:11

DOCUMENTS

Tabling

The following document was tabled by the Clerk:

Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.


Tabling

The following documents were tabled:

Airservices Australia—Corporate plan 1 July 2014 to 30 June 2019.


Human Trafficking and Slavery Interdepartmental Committee—Fifth report—Trafficking in persons: The Australian Government response, 1 July 2012 to 30 June 2013.


Volume 2, dated 27 May 2014.

Treaties—Bilateral—Text, together with national interest analyses and annexures—

Agreement between Australia and Japan for an Economic Partnership (Canberra, 8 July 2014) and regulation impact statement.

