INTERNET
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SITTING DAYS—2014

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<td>December</td>
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- **BRISBANE** 936AM
- **CANBERRA** 103.9FM
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- **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. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Parry
Temporary Chairs of Committees—Senators Cory Bernardi, Thomas Mark Bishop, Suzanne Kay Boyce, Sean Edwards, David Julian Fawcett, Mark Lionel Furner, Alexander McEachian Gallacher, Scott Ludlam, Gavin Mark Marshall, Anne Sowerby Ruston, Dean Anthony Smith, Ursula Mary Stephens, Glenn Sterle and Peter Stuart Whish-Wilson

Leader of the Government in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Australian Labor Party—Senator the Hon Penny Wong
Deputy Leader of the Australian Labor Party—Senator the Hon Stephen Conroy
Leader of the Australian Greens—Senator Christine Anne Milne
Chief Government Whip—Senator Helen Kroger
Deputy Government Whips—Senators Christopher John Back and David Christopher Bushby
Chief Opposition Whip—Senator Anne McEwen
Deputy Opposition Whips— Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert

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

<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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</thead>
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<td>Abetz, Hon. Eric</td>
<td>TAS</td>
<td>30.6.2017</td>
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<tr>
<td>Back, Christopher John</td>
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<td>Bernardi, Cory</td>
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<td>Brandis, Hon. George Henry, QC</td>
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<td>Brown, Carol Louise</td>
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<td>Cash, Michaelia Clare</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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</table>

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

(2) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice J. Adams, died in office 31.3.12), pursuant to section 15 of the Constitution.

(3) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. N. Sherry, resigned 1.6.12), pursuant to section 15 of the Constitution.

(4) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. B. Brown, resigned 15.6.12), pursuant to section 15 of the Constitution.

(5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice M. J. Fisher, resigned 15.8.12), pursuant to section 15 of the Constitution.

(6) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice C. Evans, resigned 12.4.13), pursuant to section 15 of the Constitution.

(7) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Joyce, resigned 8.8.13), pursuant to section 15 of the Constitution.

(8) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice M. Thistlethwaite, resigned 9.8.13), pursuant to section 15 of the Constitution.

(9) Chosen by the Parliament of Victoria to fill a casual vacancy (vice D. Feeney, resigned 12.8.13), pursuant to section 15 of the Constitution.

(10) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr, resigned 24.10.13), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**

Heads of Parliamentary Departments

Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
<table>
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<th>Title</th>
<th>Minister</th>
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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>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister for the Public Service</strong></td>
<td>Senator the Hon Eric Abetz</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister for Women</strong></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon Alan Tudge MP</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>(Deputy Prime Minister)</td>
<td></td>
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<tr>
<td><strong>Minister for Employment</strong></td>
<td>The Hon Jamie Briggs MP</td>
</tr>
<tr>
<td>(Leader of the Government in the Senate)</td>
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</tr>
<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon Andrew Robb AO MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Foreign Affairs</strong></td>
<td>Senator the Hon Brett Mason</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon Eric Abetz</td>
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<tr>
<td>(Deputy Leader of the House)</td>
<td>The Hon Luke Hartsuyker MP</td>
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<tr>
<td><strong>Attorney-General</strong></td>
<td>Senator the Hon George Brandis QC</td>
</tr>
<tr>
<td><strong>Minister for the Arts</strong></td>
<td>Senator the Hon George Brandis QC</td>
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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>
<td><strong>Minister for Justice</strong></td>
<td>The Hon Michael Keenan MP</td>
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<tr>
<td><strong>Treasurer</strong></td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td><strong>Acting Assistant Treasurer</strong></td>
<td>The Hon Bruce Billson MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
<td>Senator the Hon Mathias Cormann</td>
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<td>The Hon Barnaby Joyce MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Agriculture</strong></td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td><strong>Minister for Education</strong></td>
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<td>(Leader of the House)</td>
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<td><strong>Assistant Minister for Education</strong></td>
<td>The Hon Sussan Ley MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Education</strong></td>
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<td>The Hon Ian Macfarlane MP</td>
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<td>The Hon Bob Baldwin MP</td>
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<tr>
<td><strong>Minister for Social Services</strong></td>
<td>The Hon Kevin Andrews MP</td>
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<tr>
<td><strong>Assistant Minister for Social Services</strong></td>
<td>Senator the Hon Mitch Fifield</td>
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<tr>
<td>(Manager of Government Business in the Senate)</td>
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<tr>
<td><strong>Minister for Human Services</strong></td>
<td>Senator the Hon Marise Payne</td>
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<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<td>The Hon Malcolm Turnbull MP</td>
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<tr>
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<td>The Hon Paul Fletcher MP</td>
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<tr>
<td><strong>Minister for Health</strong></td>
<td>The Hon Peter Dutton MP</td>
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<td><strong>Minister for Sport</strong></td>
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<tr>
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<tr>
<td><strong>Minister for Defence</strong></td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon Michael Ronaldson</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>Senator the Hon Michael Ronaldson</td>
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<td>Parliamentary Secretary to the Minister for Defence</td>
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<td><strong>Minister for the Environment</strong></td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
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Wednesday, 14 May 2014

The PRESIDENT (Senator the Hon. John Hogg) took the chair at 9:30, read prayers and made an acknowledgement of country.

BILLS

Fair Work (Registered Organisations) Amendment Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (09:31): I continue my speech from yesterday, when I was quoting the coalition's dissenting report. That report reads as though there are many, many unions acting improperly with members' funds but not one employer group, and that members of employer groups have nothing to gain from this legislation. The final sentences highlight that this bill is solely about trashing unions and about seeking to destroy collective bargaining.

I turn to substantive parts of the references committee report—a report that was necessary because of the shortcomings of the recommendation from the legislation committee's report. Many submitters—both employer groups and trade unions—said that even if the recommendations were accepted by the government the legislation would still cause great disruption and harm to the operations and effectiveness of the administration of registered organisations in Australia. This is due to the significant unintended consequences of the bill, and the training and financial burdens imposed by the bill.

The references committee report went to great lengths to incorporate arguments both for and against the bill, and to include arguments from both employer groups and trade unions. It is a report that I believe clearly crushes the arguments for the bill. The report highlights how, in drafting and conceptualising the bill, the Liberal government has fundamentally missed the point about the nature of officials and officers of many registered organisations.

Far from being commercial, for-profit companies, these are membership organisations that survive on the work of volunteers. I highlight comments from the Australian Industry Group regarding the proposed material personal interest requirements of the bill. They said:

The provisions of the Bill in this area will operate very unfairly on registered employer organisations and their officer, and it is essential that the Bill is amended. The Bill would impose a far more onerous regime for officers of registered organisations than what applies to directors of public companies. The regime, if enacted, would undoubtedly deter persons from standing for office in employer organisations. In practice the provisions of the Bill would seriously impede many organisations from carrying on their daily business operations.

The ACTU reiterated this concern, from the perspective of trade unions, in its submission. It said that the committee should be cognisant of the fact that the burden of this regulation falls not just on the full-time salaried leadership of unions but on many rank-and-file members who are elected as unpaid delegates to governing bodies, which may meet as infrequently as once a year or once every two years.
If registered organisations cannot get members to fill the various office and delegate roles required for their organisations to function appropriately, then what happens to these organisations? They will die a slow death, and the Australian community will be worse off.

The report also highlighted evidence from the Australian Nursing and Midwifery Federation that the minute-keeping requirements of this bill were too onerous. The evidence was:

While organisations do keep extensive records of their meetings, it is often the case that they deal with sensitive and confidential issues and do so under an agreement that such matters remain “in house”. Examples of this are in dealing with an organisation’s employees, industrial strategy and commercial issues.

A blanket requirement to record minutes, and for such records to be made public, will only foster and encourage a lack of transparency as organisations respond to this requirement with more “off the record” discussions and more informality and consequently reduced accountability when dealing with issues that are considered sensitive or confidential.

I felt that the ANMF hit the nail on the head with this evidence.

The requirements in this bill around the management of registered organisations are too rigid and impractical. With regard to the training of officials, this bill would impose upon registered organisations a requirement to have their training recertified by the new commissioner, even if their training has been approved by the current Fair Work Commission. The Ai Group raised that they had already spent significant resources on developing a training program required under the 2012 changes. They submitted:

For example, there are four organisations—us, the ACTU, the AWU and one other organisation which I cannot recall—that put huge resources into having their officer training programs developed and approved. There is nothing in this legislation that grants automatic approval for those training courses. We have got to again run the gauntlet with the Registered Organisations Commission. Talk about increasing red tape for business.

Of course, there are always loopholes available, and it was interesting that the ACTU said: … that the passage of the bill could result in many employer organisations deregistering as registered organisations and instead, adopting corporate structures. By forming companies limited by guarantees, the organisations could then avoid the disclosure, training and oversight provisions of the bill.

So on one hand this bill will severely damage the effectiveness of trade unions but on the other hand provide an out for employer groups to actually become more secretive and more exclusive than they already are. Maybe that is the real reason for this bill.

The report also highlights that the penalties under the Registered Organisations Act were tripled in 2012, and that these penalties are sufficient to act as a disincentive. The report notes that the bill has been drafted in such a way that the new serious contravention category actually has a circular definition—that is, the definition of ‘serious contravention’ includes a contravention of the act that is ‘serious’. Of course, no definition of ‘serious’ is provided, creating an ambiguous definition to allow the commissioner to apply a serious contravention whenever he or she chooses.

Further, given the different functions of corporations from registered organisations, the attempt to copy the serious contravention provision from the Corporations Act is totally flawed. As evidenced in recent months, criminal law is able to prosecute wrongdoing. The
actions of the few should not be used as an excuse to enact draconian measures for registered organisations and their membership.

I repeat that I do not condone officers of registered organisations, or anyone in a position of trust, acting inappropriately, misusing trusted funds or taking benefits when they are not entitled to. The reforms by the previous government are sufficient to improve accountability of trade unions and employer groups, and this has been clearly demonstrated over recent times. I urge senators to vote against this bill.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (09:38): In rising to speak on the Fair Work (Registered Organisations) Amendment Bill 2013 I would like to make one thing quite clear: this is a bill designed to silence unions. It is a bill designed to impose so many bureaucratic reporting requirements on unions that they have barely enough time to focus on their core business, and that is representing and defending the rights of workers.

When John Howard was Prime Minister, savage dogs and security people were on the docks. This government has decided to employ more subtle means of breaking the unions. But make no mistake about it: when the Liberal-National coalition is in government they will do all they can to attack the union movement. They will attack unions because the union movement is standing in the way of their ultimate ideological goal: stripping the rights and conditions of Australian workers.

This is a government led by an ideological Prime Minister with an historical grudge. He is continuing to fight a workplace relations battle that was comprehensively won in 2007, and this time he is fighting it by stealth and subterfuge. Instead of taking the union's head-on he is going to do it under the guise of tackling misconduct and corruption. And if you think Mr Abbott has abandoned WorkChoices, let us recall that in 2008 he said:

… it was good for wages, it was good for jobs and it was good for workers. And let’s never forget that.

That is his quote.

In 2009 he said:

… workplace reform was one of the greatest achievements of the Howard government.

That is what this bill is really all about. It is about crippling the union movement with burdensome regulation so they lack the ability to fight against the Abbott government's ideologically-driven workplace reform.

The bill that is now before the Senate is a broken promise. Once again, we see a coalition that says one thing in opposition and does another in government. The Abbott government promised to regulate registered organisations in the same way as corporations, and now they have broken that promise. This bill places more onerous reporting requirements and higher penalties on officers of registered organisations than those imposed on company directors.

For example, corporations face a late fee from ASIC of $299 if their annual reports are lodged more than a month late. Yet this bill seeks to impose penalties of up to $85,000 if a registered organisation fails to lodge their annual report within the required time. The bill sets higher penalties for officers of registered organisations for a number of other breaches, such as noncriminal breach of good faith obligations, noncriminal misuse of position and noncriminal misuse of information.
For those who believed the Prime Minister when he said he would not touch workplace relations and when he said he would not reintroduce WorkChoices, just look at the trail of broken promises he has left behind so far. And just look at the ideological campaign that is being waged against unions right now, with this bill as a weapon, and you will see where the Abbott government stands on the interests of workers.

Those opposite like to pretend that this bill is about standing up for union members, but how can you stand up for union members if you mute the organisations that are supposed to represent them and fight for their rights? I want to make clear that this is not a debate about whether union corruption is acceptable. I and the rest of my colleagues in the Labor Party not only opposes corruption, we abhor it and have zero tolerance for it. Officers of registered organisations, just like directors of companies, are placed in a positions of trust and responsibility, to provide for the interests of their members—just as company directors are to act in the interests of their shareholders. Anyone who engages in corrupt behaviour, who is put in a position of responsibility and authority and abuses that authority for their own personal benefit, must be prosecuted with the full force of the law. I hope that the government is fervently opposed to all corruption, despite the fact that they seem to have an obsession with focussing on corruption in one particular sector—that is, the union movement.

But let us not pretend either, as those opposite would have us believe, that this is a debate about who is serious about tackling corruption. If the government cannot get this bill—this ideological instrument—through this place, then they will, at the very least, use it as some kind of political tool to claim that those of us on this side are not serious about tackling corruption in the union movement. We are serious about tackling corruption and misconduct, and we have demonstrated our seriousness through the legislation we passed in government in 2012.

In fact, Labor introduced stronger accountability measures and tougher penalties for misconduct in registered organisations than those introduced by the current Prime Minister when he was Minister for Workplace Relations in 2002. And do not forget, it was Labor in government that forced the Health Services Union into administration.

The conduct that those opposite claim they are targeting is already prohibited in the Registered Organisations Act. The act already prohibits members’ money from being used to favour candidates in internal elections. It allows for criminal proceedings when funds are stolen or obtained by fraud, and ensures the Fair Work Commission can share information with police. There are statutory civil penalties in the act for parties who knowingly or recklessly contravene an order or direction made by the Fair Work Commission or Federal Court. Officers of registered organisations have fiduciary duties similar to those of company directors, and are required to disclose their personal interests. In trying to justify this bill, the government point to instances of alleged corruption that are being dealt with effectively by the current provisions.

If those opposite were really serious about tackling corruption and misconduct, then they would do so across the board. Despite the hundreds of prosecutions brought by ASIC each year against company directors, despite all the material that has been dealt with by ICAC in New South Wales, we do not hear a peep out of this government about corruption and misconduct in the corporate sector. Yet if you listened to the rhetoric of the coalition over the
past several years, you would think that corruption and misconduct is entirely confined to unions.

The challenge for the government in prosecuting the case for the bill is this: explain to the Senate how and why the system that is in place already is not working; explain to the Senate how this bill will improve the system in any meaningful way; and explain to the Senate how you justify the enormous regulatory cost that you are seeking to impose on the very organisations whose members you claim to be protecting. They have failed to do this in the House, and I doubt they will succeed here. This is a poorly constructed piece of legislation. Not only is it poorly constructed, but its sole purpose is the pursuit of an ideological crusade—although I would consider it is more like the stuff of the sheriff of Nottingham than of Robin Hood.

As I said before, this bill imposes more onerous requirements on the officers of registered organisations than those which company directors are subject to. Why won't the government support the same onerous reporting requirements, the same steep penalties, for corporations and their directors as they do for registered organisations? If they are going to claim that by opposing this bill we are not serious about tackling union corruption then, surely, by their own standards they are not serious about tackling corruption in the corporate sector.

Of course, this is the government that apparently is all about cutting red tape and letting businesses get on with business. But they are not interested in letting unions get on with their business. Instead, they want to drown them in regulatory requirements so they cannot get on with their core business—representing workers. That is what the coalition's mates in big business want them to do. If they cannot bring Work Choices back, then they will at least have a go at breaking the back of the union movement.

Business is often regarded by those opposite as their natural friends, but has the Abbott government considered how employer organisations feel about this regulatory approach? Employer organisations are, after all, registered organisations who would be subject to the same requirements as employee organisations under this bill. Perhaps the Abbott government is so hell-bent on this ideological crusade that they are happy to sacrifice employer organisations in the process. Perhaps they consider weighing down employer organisations with the same regulatory burden to be worth the collateral damage. Perhaps to them this is the cost of winning their ideological war against unions.

Well, these organisations obviously do not like it any more than employee organisations do. The Australian Industry Group made the point that directors of companies are typically small in number and well-remunerated for their role in returning a value on shareholders' investments, whereas registered organisations, being not-for-profit entities, typically have many elected officials and committee members who are unpaid. The Ai Group, for example, has 78 volunteer councillors deemed officers under the Fair Work (Registered Organisations) Act, who give up a great deal of their time working on the policy and financial management of the group while also trying to run their own companies. I know this is also the case for many other registered organisations including unions and yet the bill imposes excessive reporting requirements on these unpaid volunteers.

One such requirement is the obligation to disclose their material personal interests, including those of relatives, to every member of the organisation and the penalty for breaching this requirement is over $1 million—I think that in fact it is $1,020,000. By
contrast, under the Corporations Act, company directors only have to disclose their material interests to the other directors and only those interests that relate to the affairs of the company. Let me just reiterate that. One requirement is the obligation on one group to disclose material personal interests including those of relatives to every member of the organisation and the penalty for breaching that requirement is around $1 million. By contrast, under the Corporations Act, company directors only have to disclose their material interests to other directors and only those interests that relate to the affairs of the company. Here is what the Australian Industry Group said in their submission in relation to the disclosure of material personal interest:

The provisions of this Bill in this area will operate very unfairly on registered employer organisations and their officers, and it is essential that the Bill is amended. The Bill would impose a far more onerous regime for officers of registered organisations than what applies to directors of public companies. The regime, if enacted, would undoubtedly deter persons from standing for office in employer organisations. In practice the provisions of the Bill would seriously impede many organisations from carrying on their daily business operations.

That was from the Australian Industry Group in their submission to the Senate inquiry.

Will just drop this year and then I can work on I would like to compliment the Ai Group on what is a very comprehensive and well-thought-out submission, which points out the many flaws in this bill. Concerns about the regulatory burden this bill will place on registered organisations have been echoed by the Australian Council of Trade Unions and several other employer organisations, including the Master Builders Australia and the Pharmacy Guild.

By introducing these onerous reporting requirements, the government is not just imposing costs on unions but is imposing costs on the whole workplace relations system. Of course, the government must have known that these concerns were going to be brought up. Maybe that is why they were in such a hurry to rush this bill through.

Many employer organisations, including the Australian Chamber of Commerce and Industry, have raised concerns about the lack of time they have had to review the legislation and lodge a considered submission. Surely it would send a clear message to this government, when both employer and employee organisations are united in their stance on this bill, that something is seriously wrong with it?

While looking through the second reading speeches to this bill in the other place, I think the member for Moreton made an interesting point—that the increased compliance costs resulting from this bill could be passed on to the members of registered organisations. In the case of unions these could include low-paid employees, such as retail workers, or cleaners, or childcare workers or aged care workers. Far be it from those opposite to care about low-paid workers, but many employer organisations that represent small businesses may also be forced to pass these costs onto their members, resulting in increased costs for small business. Of course, we know that if that happens that cost will be passed on to consumers.

I doubt the government, on the other side of this chamber, who trumpet their business credentials and their war on red tape, have considered the cost burden this legislation could potentially have on small businesses. You would think this is exactly the kind of legislation that the government would include in one of their 'red tape repeal days'. But then this government really only pays lip service to repealing red tape. Not only are they not serious about reducing red tape they are intent on using red tape as a weapon.
Labor will oppose this legislation, and we have many good reasons to do so. We already have a very good regime in place for ensuring the accountability of officers of registered organisations, including reasonable penalties for failing to meet their duties to their members. As a number of submitters have pointed out, it is this rushed legislation that is causing problems. The government's royal commission into the trade union movement will be making recommendations about the regulation and governance of registered organisations, so why not wait for those findings? Is it because this bill is a stunt?

This is the same stunt the government pulled in opposition when Senator Abetz introduced a similar bill. I remember when I spoke on that bill: I described it as a 'solution looking for a problem'. The bill that is currently before the Senate is no different.

This is not just Labor's view, or the view of the union movement, and I point again to the Australian Industry Group's submission which said:

It is a transparently political Bill in an area where there is no extant public policy problem.

Unfortunately, what the government has demonstrated with their royal commission is that they are willing to spend millions of dollars in pursuit of their political witch hunt. They will spend millions of dollars in taxpayers funds while also imposing millions of dollars of costs on registered organisations, including employee and employer associations.

Why does this government insist on attacking unions? Because they want to silence the voices of those opposed to their real agenda, which is bringing back WorkChoices. If the government wants to introduce serious, adult, measures to combat misconduct and corruption, Labor will support them. However, Labor will not support childish stunts, we will not support a political witch-hunt and we will not support unnecessary regulation and red tape. And we will not support actions designed to cripple and silence the union movement.

For these reasons, Labor opposes this bill.

Senator McKenzie (Victoria—Nationals Whip in the Senate) (09:54): It is deja vu. It is Groundhog Day. Here we are again, and yet again we are pulling out our speeches—

Senator Bilyk interjecting—

Senator McKenzie: Senator Bilyk, I am glad you referred to an earlier speech you made on very similar legislation. Anyway, I rise to speak to the Fair Work (Registered Organisations) Amendment Bill 2013, a bill for an act to amend the Fair Work (Registered Organisations) Act 2009 and for related purposes. This was the coalition election policy. We were very clear. Senator Bilyk, you made comments about rushed pieces of legislation. This piece of legislation was like a train coming across—through you, Chair—

Senator Bilyk interjecting—

The Deputy President: Order! Senator McKenzie, you cannot address senators directly—do so through the chair—and interjections are disorderly, Senator Bilyk.

Senator McKenzie: Like a freight train across the Nullarbor, you could have seen this particular piece of legislation coming for miles—for days, for weeks, for months, for nigh on a year. This was part of our agenda to ensure accountability and transparency with registered organisations. It is not an ideological attack on the union movement, as those opposite would like us to believe. It is actually for all of us—for the community—to be assured that employer organisations, workers' organisations and indeed any registered organisations ensure that the
dues paid by the members to those organisations are used in a responsible matter and that the
governing arrangements for those organisations give confidence to those members that they
are being taken care of in an appropriate manner.

Briefly, the policy applies the same rules to unions and officials as for companies and their
directors. Given the amount of money that some of these organisations are in charge of, and
given the importance of a lot of the advocacy work that they are involved in, that should be
the least of the regulations that they should be subject to. It ensures penalties for breaking the
rules are the same for everyone, as are disclosure requirements. In addition, the policy calls
for a new body, the Registered Organisations Commission, to take on the enforcement and
investigation roles currently held by the Fair Work Commission. The new commission would
also provide information and advice to registered organisations about their rights and
obligations under the law.

We have a clear mandate for this legislation. Specifically, the bill responds to a number of
outstanding recommendations from the June 2012 review into the operation of the Fair Work
Act by the Fair Work Review Panel. I speak on this bill as a member—and, at the time of the
inquiry, acting chair—of the Education and Employment Legislation Committee, which
inquired into the bill and reported to the Senate in 2013. In the legislation committee report,
the committee supported the bill subject to four minor amendments. Firstly:
The Committee recommends that, consistent with the Corporations Act 2001, material personal interest
disclosures should only be required to be made to those officers whose duties relate to the financial
management of the organisation. Such disclosures should be recorded in the minutes of the meetings of
those officers and should be made available to members on request.

I am surprised that the opposition is not supporting this amendment, given that it ensures that
the shareholdings of husbands and wives of union representatives are not open for disclosure.
It ensures that only those who are dealing directly with the financial management of the
organisation are subject to the same disclosure rules as under the Corporations Act. Secondly:
The Committee recommends that a list of exclusions from the obligations to disclose material personal
interests based on section 191(2) of the Corporations Act 2001 be inserted into the bill. This would
narrow the obligation to disclose material personal interests …

Thirdly:
The Committee recommends that the obligation placed on officers to disclose every payment should be
reduced with certain exclusions …

Fourthly and finally:
The Committee recommends the bill be amended to allow the Commissioner to grant exemptions from
the training requirements if an individual can demonstrate significant knowledge of the financial
obligations specified in the bill.

This is because, despite the policies of various Labor state governments and the TAFE
regime, there is no point training people for the sake of training people. I know the training
obligations and the money they can raise from training their members are a great money-
spinner for many of the registered organisations, but if you already have the training there is
no reason for you to undergo that again.

Predictably, for a bill which would make unions more accountable, Labor senators
produced a dissenting report opposing the bill in its entirety. I think that was in December
2013. What was less predictable was Labor's decision to refer the bill to the Education and Employment References Committee, which of course they control.

Referring the bill for a second inquiry was a highly unusual tactic. In fact, it has not been used since August 1996 when, again, Labor referred another piece industrial relations legislation, the Workplace Relations and Other Legislation Amendment Bill 1996 to the Senate Economics Reference Committee. So much for the bleating about ideology. Politics is the battle of ideas; on this side, ideas centred around freedom, transparency and accountability. And on the other side, as Senator Cameron made reference to in his contribution on this piece of legislation yesterday: 'There is nothing wrong with it—leave it as it is. There is no problem.' Clearly, that is not what we found in our inquiry. That was not the evidence given to the committee and it was not the evidence given to the coalition during the construction of our policy around this matter. It just shows how desperate Labor is to appease its union mates and masters.

The reference committee essentially replicated the work of the legislative committee. The only difference is that this time it was a Labor majority report, with a dissenting report from coalition senators. Our dissenting report flatly rejected the need for a second inquiry. The new inquiry held just one hearing for which just three unions and one employer organisation turned up. What a waste of time, paper, energy, Senate resources and money! But how typical of Labor.

Senators on this side of the chamber firmly support the government taking strong action to ensure all registered organisations are accountable. Has Labor learnt nothing from the HSU scandal? The fact that it took Fair Work Australia four long years to complete its investigation into the HSU demonstrates the need for a separate Registered Organisations Commission, as set out in this bill.

It is now very clear that HSU was just the tip of the iceberg. The Fair Work Commission has recently launched proceedings against the Musicians Union of Australia, and currently has inquiries or investigations into the Australian Rail, Tram and Bus Industry Union, the Australian Salaried Medical Officers Federation, the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, the Flight Attendants' Association of Australia, the Textile, Clothing and Footwear Union of Australia, Australian Nursing Federation and the Australian Childcare Centres Association.

We have also just seen the start of the Royal Commission into Trade Union Governance and Corruption. I would encourage Labor Senators who think that all is well with the union movement and that this bit of legislation is not required to please log on to www.tradeunionroyalcommission.gov.au, and for those Twitter aficionados amongst as it is #turc, if they want to follow what is actually going on at the royal commission into the trade union movement and governance. Find some evidence of why this bit of legislation is required now.

The bill before the Senate is not about union bashing. It is about protecting workers from union officials who do the wrong thing—and they do exist. Not all; not the majority. But they do exist. The majority of union officials are honest and dedicated to the welfare of their members, and thus have nothing to fear from this bill. In fact, by clearing up the governance issues in registered organisations unions should become stronger as they regain the lost trust of workers and, indeed, the wider Australian public about their important role in our civic life.
It is hard to understand why any Labor senator would have a problem with tackling corruption.

While current Labor politicians are more than shy about criticising unions, Labor figures of the past have been much more forthcoming. Former Labor powerbroker, Graham Richardson, wrote a column in The Australian of 31 January 2014, titled, ‘Labor needs to re-examine its ties with the unions’.

Labor must assert the primacy of its own position over the trade unions. If it is seen again to slavishly follow the union line, it will give an already well-endowed Prime Minister even more grist for his mill.

Unfortunately for Labor, for workers and for the union movement more generally, that message is not getting through to Labor in this building.

Labor Senators cited as their main reason to oppose the bill, disclosure requirements for officers of registered organisations. Yet these issues arise courtesy of the Fair Work (Registered Organisations) Amendment Bill 2012, introduced by the now Leader of the Opposition, Mr Bill Shorten. When introducing the bill, Mr Shorten said:

Under the amendments proposed by the government—
the then government—
registered organisations will be required to amend their rules to provide for the disclosure of transactions between the organisation and related parties, which may include the family members of officials.

Labor was happy to support disclosure when it was in government, but now it is against it now it is in opposition. What hypocrisy. Labor senators should really be more supportive of their leader. Mr Shorten was very close to the top of the Gillard government. He not only helped install Ms Gillard, he was so close to her that he agreed with everything she said even when he had no idea what she had said. Mr Shorten had the Prime Minister's back—that is, until he stabbed her in the back.

Edmund Burke said: Hypocrisy can afford to be magnificent in its promises, for never intending to go beyond promise, it costs nothing.

Labor’s hypocrisy on this bill is similar to Labor now voting against budget saving measures that Labor brought to parliament and took to the last election. Last year Labor proposed $2.3 billion of savings. These came from an efficiency dividend on universities, a cut to scholarships and other higher education changes. In February last year the Gillard government announced savings of $1.1 billion as a result of research and development tax changes. But now Labor is blocking both of these pieces of legislation—both previous Labor plans. Labor sees no conflict in voting against its own policies, none at all. Indeed, it expects us to vote against our own policies, policies that we were very, very clear on prior to the election, that were part of the mandate that Australian people gave the Abbott government.

So why are Labor senators so reluctant to hold trade unions to account? I think that is a very, very good question. I have done a bit of homework; I have a few stats I would like to share with the chamber. Maybe one of the reasons could be that 19 out of the 31 ALP senators are former union officials or union bosses. Nine of them were union bosses, 10 of them were union officials. Senator Bilyk, who we just heard from before, the Australian Services Union;
Senator Bishop, Shop, Distributive and Allied Employees union boss; Senator Cameron, passionate defence of the union movement yesterday, AMWU union boss; Senator Collins, SDA union official; Senator Conroy, Transport Workers Union official; Senator Dastyari, ALP boss right there; Senator Farrell, another shoppie union boss; Senator Turner, the National Union of Workers union boss; Senator Gallagher, Transport Workers Union boss; Senator Hogg, our President, a Shop, Distributive and Allied Employees union official; Senator Lines, United Voice, and what a voice it is, union boss; Senator Ludwig, Australian Workers Union union official; Senator Lundy, CFMEU union official; Senator Marshall, the ETU union official; Senator McEwen, the Australian Services Union boss; Senator Moore, CPSU union boss; Senator Singh, Australian Education Union official; Senator Sterle, Transport Workers Union official; Senator Urquhart, Australian Manufacturing Workers Union boss; Senator Wong, CFMEU union official. But wait, there is more! Come 1 July these senators will be joined by Senator Joe Bullock, SDA union boss, and Senator Chris Ketter, SDA union boss.

And what do they all have to hide? The community expectation is that these unions must operate to the highest of standards. These organisations are given special legislated rights, and with rights come responsibilities. The Craig Thomson affair showed that these responsibilities are not being met under the current arrangements. Mr Thomson was arrested in respect of more than 154 fraud related criminal charges and is facing allegations that his 2007 federal election campaign was partly funded by siphoning union money without authorisation. The union that Mr Thomson was ripping off represents some of the lowest paid workers in Australia, and it is outrageous that the union contributions of these low-paid workers were used to fund the seedy high life of a man who was supposed to be fighting on their behalf. It is outrageous that it took four years for justice to be done. It is outrageous that Labor senators think it is okay to maintain the status quo.

To improve oversight of registered organisations, the bill will establish a dedicated independent watchdog, the registered organisations commission, and provide it with enhanced investigation and information-gathering powers to monitor and regulate registered organisations. The new commission will have the necessary independence and the powers it needs to regulate registered organisations effectively, efficiently and transparently. The commission will have stronger investigation and information-gathering powers than those that currently apply. They will be modelled on those available to the Australian Securities and Investments Commission. The commission will also educate, assist and advise registered organisations and their members in relation to the new obligations, and ensure members are aware of their rights. The activities of the commission will also be subject to the same oversight by the Commonwealth Ombudsman as Commonwealth agencies. This will ensure the appropriate level of transparency and public accountability.

As well as establishing a strong, independent regulator, the bill introduces reporting and disclosure requirements, and enhanced penalties for wrongdoing. Many unions control assets worth millions of dollars. In financial terms they operate in a similar way to a large business, so it is appropriate for them to have similar reporting requirements. And I note that in his contribution yesterday, Senator Cameron was very keen to use the word 'volunteer', as if somehow we were talking kindergarten committees or football/netball clubs in the way that unions were being run. But I am very, very confident about this, having actually presided over
a student association many years ago which had a turnover of $17 million. I know that many of the people involved in that organisation were not solely volunteers, and I know that throughout the unions there are some very significant salaries within the government structure of the union movement. They should be subject to more stringent accountability measures. Than the local kindergarten committee is.

The only people who have anything to fear are those who are doing the wrong thing. The overwhelming number of officers who are already doing the right thing should be comforted in knowing that unlawful behaviour will be dealt with, thus ensuring ongoing member confidence in registered organisations as a whole. There should be no difference between the penalties levied against a company director who misuses shareholders' funds and a union boss who misuses members' money. I do not know why that is a point of contention.

Any political party that refuses to support this greater accountability and transparency for registered organisations is voting to give the green light to more of the same behaviour that we have seen from some executives of the HSU. It is time for Labor senators to choose which side they are on. Are you on the side of Craig Thomson or are you on the side of the workers? I think the misuse of the committee process by Labor, particularly around this and the other amendment to the Fair Work Act is a disgrace, because all they are doing is using the very limited resources of the Senate basically to prosecute what is an ideological argument.

It will ever be thus, and when Senator Bilyk wants to talk about 'ideological crusades', the Labor Party and Greens, their partners in crime, have been on an ideological crusade for six years. And whenever you want to call them out on their ideological crusade; whenever you actually want to inject some accountability and transparency into workplace relations; and whenever you want to talk about the reality of operating a small business in regional areas and of penalty rates for young people, they pull out the Work Choices wildcard. It is the 'press button in case of emergency/smash glass'; it is as if this spectre of Work Choices will actually make up for the negligence that those opposite have wreaked upon the Australian economy and upon the potential job prospects of young Australians and the stability of our budgetary position over coming decades.

I am very proud of our government in that whilst it was not of our making, we have actually taken strong steps this week to address the inherent issues of the Labor malaise.

Senator LUDWIG (Queensland) (10:14): Senator McKenzie, I could not let you go without thinking to myself, quietly, 'I hear the social agrarian that you in fact are when you talk about trade unions with such distaste.' I find the juxtaposition of where you sit in the social agrarian National Party and where I sit in trade unions somewhat novel to look at. But, nonetheless, you are entitled to have your views.

I rise to speak on the Fair Work (Registered Organisations) Amendment Bill 2013. The Australian people were promised a mature, responsible government. We were promised a government that would be run by adults under the coalition. That promise has proved to be just one of the many broken promises that litter the corridors of the Ministerial Wing of this building today. The Abbott government's pre-election promises have all gone up in a puff of cigar smoke and the way this legislation has been handled, quite frankly, is no different. Just as Mr Tony Abbott's budget is a budget of broken promises, this legislation is completely full of hypocrisy. The legislation before the chamber can only be described as being politically motivated in the extreme. It is unnecessary, and I will not be supporting it or the way
government has managed this bill in this place. It is in fact a piece of scrambled legislation that they have cobbled together as, you could only say, an extreme attack on trade unions per se. The legislation is a thinly-veiled attack on trade unions and, by extension, their members. Unions work incredibly hard to represent the best interests of their members. They have a role to play in the modern Australian economy and workforce, and I think that in itself is what the Liberal Party and the Liberals on the other side find almost impossible to accept.

The government has not properly explained the case for change for this legislation. They have failed to make the case that the existing legislation should be changed in this extreme way. Registered organisations should be responsibly regulated, and I do not think that anyone would cavil at that statement. Labor supports the act in its current state. Why? Because it gets the balance right. It strikes the right balance between good legislation, how you properly regulate registered organisations and how you should ensure that you do not take it to the extreme to punish registered organisations.

The law at present already does the following: registered organisations already prohibit members' money from being used to favour particular candidates in internal elections or campaigns; the Registered Organisations Act already allows for criminal proceedings being initiated where funds are stolen or are obtained by fraud; the Registered Organisations Act already ensures that the Fair Work Commission can share information with the police, as is appropriate; and the Registered Organisations Act already provides for statutory civil penalties where a party knowingly or recklessly contravenes an order or direction made by the Federal Court or the Fair Work Commission under the Registered Organisations Act or the Fair Work Act. The current legislation is pretty tough, can I say, in the way that it currently works.

Under the Fair Work Act officers of registered organisations already have a fiduciary duty akin to that for directors under the Corporations Law. The Registered Organisations Act already requires officers to disclose their personal interests. The Registered Organisations Act already requires officers to disclose when payments are made to related parties. And it does not stop there. The Registered Organisations Act already requires officers to exercise care and diligence and act with good faith. All of these put an incredible onus and responsibility on trade unions to act appropriately and conduct their affairs in an open and transparent way on behalf of their members.

As the dissenting report of the committee's inquiry into the bill noted, the current Registered Organisations Act already addresses the proposals of the bill to the appropriate extent. It prohibits money from being used to favour particular candidates in internal elections and gives priority to the determination of criminal proceedings, for example, where it is alleged that funds have been stolen or obtained by fraud, and ensures that the Fair Work Commission can share information with the police, as appropriate.

As has already been noted by the speakers on this side on this bill, these changes are aimed solely at hindering the efforts of trade unions to effectively represent their members in the workplace. When you look at the present legislation and at where these changes want to go, you can be left in no doubt that it is all about simply making it almost impossible for unions to operate effectively in the workplace and an unveiled attack on trade unions by this government. Why? Those on the other side have a long hatred of unions, and it manifests itself whenever they get their head. When they had the ability to pass legislation in this place
from 2004 onwards, what did they do? They attacked unions and their members through Work Choices. Unfettered, they then went to the extreme, as is always the case. In this instance, they took a piece of legislation that was suitable and matched to fit registered organisations, and they have taken it to the extreme again. Why? As I said, the only reason left is their unbridled hatred of trade unions.

When you look at one particular aspect of the bill that represents significant overreach by a government full of twisted priorities and full of surprises, you can see it come through. The expansion of coercive investigatory powers is hidden within this bill. The legislation as it stands provides coercive powers in relation to current and former officers, employees or auditors of an organisation. The amendment legislation extends the powers in such a way as to reach any person the commission identifies as potentially holding information or evidence of relation. This will give the commissioner significant new powers to compel evidence, execute warrants and seize documents from any person. This can only be described as a significant overreach.

It was not something the coalition canvassed with the public before the last election. What they want to be able to do is give powers to the commissioners which are unprecedented in a broad sense—more than what you would expect for a body that is there to ensure registered organisations act within the law. Why? They want to have unfettered access to be able to attack trade unions using this piece of legislation shamelessly. Of course, the overreach is not hidden in that sense. They do put it in their legislation and they do encourage the commission to use all of the powers that are available to it to attack trade unions—and I suspect it would.

One of the novelties, if there is a novelty within this piece of legislation, is the extraordinary hypocrisy about red tape. We all know that this government is about removing red tape. They have set up—a red tape task force to go around in departments, find red tape and destroy it where they can. This is one of the hypocritical issues that have come forward, which can also be described as a broken promise.

Mr Daniel Mammone, the workplace policy and legal affairs director of the Australian Chamber of Commerce and Industry, gave this evidence in the Senate inquiry in response to a searching question from Senator Tillem:

**Senator TILLEM**: Would you agree with the statement that, further, the requirements of this bill add another layer of red tape for those organisations that you deal with and got feedback from? Is that a fair statement?

**Mr Mammone**: There are elements that compound the existing problems, yes.

This is clear evidence that the government's only plans are for twisted priorities and broken promises, because in this instance they want to add red tape and ensure that they surround trade unions with a substantial amount of red tape. Why? Because of their unbridled hatred of the operation of trade unions, the way they look after their members and the way they operate within the industrial sphere. The government are willing, in this instance, to breach and break one of their promises of removing red tape for what can only be described as a political end. It is simply a twisted priority when you juxtapose it. As Senator Bilyk noted, they would happily sacrifice a business to put impediments on the operation of trade unions. They are even willing to go that little extra step and say: 'We won't worry too much about business in this instance. Businesses are in the way of our target. They might be called collateral...
damage—too bad, so sad. We are willing to sacrifice those principles and sacrifice small business to achieve our aim of attacking trade unions.’

The Liberals have proved themselves to be the poorest managers of this chamber since I have been here. I cannot speak for before then, but when you look at the way this bill has been dealt with, the incompetence has not been limited to the operation of government business and the programs of this place. It really has extended across the entirety of this government when you look at how they are managing this legislative program.

The budget is a betrayal of working people and it truly is a slap in the face to the people who voted for this government, because what are we dealing with today? We are dealing with one of their twisted priorities. We are dealing with registered industrial organisations. It is not about the budget, it is not about issues that go to the budget; what they really want to talk about are their twisted priorities around how to attack trade unions. The budget process to date has been farcical, and the extraordinary damage they are now inflicting on families is quite unbelievable. We witnessed the most chaotically mishandled and sieve-like budget since John Howard's 1980 budget, which was leaked in full to Laurie Oakes.

I suspect we have already got a government in revolt, with a backbench treated like mushrooms and a Prime Minister and Treasurer breaking election promise after election promise. Above all, I think this budget has been—as Dr Chalmers from the other place called it—an ambush on the Australian people, particularly on working people, and this piece of legislation is just another attack on working people. It attacks industrial organisations which represent their members—Australian working people—in the workplace. It highlights their priorities around who they have in their target: working people and trade unions who represent working people.

This is a budget written by the cigar chompers and borne by hardworking Australians. While lower- and middle-income earners are being sent to the wall, the big end of town are getting off scot-free. Their attack on working people contained in this bill is replicated in their attacks in the budget, and you do not have to go far into it to hear it. A GP tax, increasing the petrol tax, cuts to the pension, education, students with disabilities and young apprentice support—all broken promises, all attacks on hardworking Australians, and it is reflected here.

I would go so far as to say that this registered industrial organisation bill today has at its heart the way the Liberal Party addresses working people. They do not like trade unions, they do not like working people and they do not like those who need support in the electorate. Labor does not support a tax on working people or their representatives. Unions work hard for their members' interests in the workplace, and you do not have to go far to find how bad this piece of legislation is.

The Australian Council of Trade Unions, in its submission to the Senate committee inquiry, expressed the view that this bill is 'poorly conceived, badly motivated, entirely unnecessary and transparently political in an area where there is no extant public policy problem.' I think they have said it all in one sentence, quite frankly. The ACTU's analysis and conclusions about many of the requirements and penalties in this bill are similar to the AIG's.

In the workplace we have a confluence of interests—industrial organisations, trade unions and employer organisations—who all think this legislation is bad. It is atrocious in the extreme. It even goes to areas which I think make you wonder about their priorities. If you
look at the coercive powers in the investigatory area, they have given greater powers and taken away use and derivative use immunity. You could juxtapose that with what a former senator of this place, Senator Cooney, said. I hope I have got this right; I am happy to correct it. He once said that what you are doing is giving more power to people to look into, in this instance, trade unions or registered industrial organisations, than you give to the police to look at people who have been murderers, people who have done some heinous deeds in the criminal sphere. Why is that? To be able to justify it you do need to put down quite clearly what those justifications are and why we should accept them. I do not think, in this instance, the case has been made for this extreme use of powers plus the removal of the privilege against self-incrimination for use and derivative use immunities. In fact, derivative use immunity is, as I understand it, gone.

Turning to other provisions in this legislation, of course they will have to fund it. I think it highlights their twisted priorities where they are going to fund an attack on registered industrial organisations whilst at the same time, for companies, it is quite interesting. The argument goes something like this: registered industrial organisations should be treated like companies. I think that is a poor argument and does not reflect the truth of how industrial organisations work and how they are comprised. But whilst you are strengthening these powers to attack trade unions, today we find out from the budget that you are removing approximately $120 million from ASIC so that they will not be able to perform their tasks in pursuing companies and the like for the work that they do—which has been and always is good work. But that is where you find their priorities. 'We'll ensure that ASIC cannot do its job. We'll take $120 million out of them over four years to make sure they cannot do their proper functions of keeping big corporations in check, making sure that companies do have a good investigative arm on their case. In this instance, though, we're going to support a tough piece of legislation to attack trade unions but ultimately we are going to say that companies and trade unions from your perspective should be treated the same.' How hypocritical. You are entirely hypocritical in that argument. It falls flat when you look at how you are going to pull the rug out from under ASIC and bolster your attack on trade unions. I commend the submission to the Senate. (Time expired)

Senator STERLE (Western Australia) (10:34): I too rise to make my contribution to the Fair Work (Registered Organisations) Amendment Bill 2013. I think it is amazing to sit here when we go on a union-bashing exercise. It is absolutely gobsmacking to hear some of the contributions from those opposite. I did not hear it but I am told that, to use up some of the Senate’s valuable time, Senator McKenzie went on a tirade about those of us on this side of the chamber—our backgrounds or what union affiliation we have. As I said, I did not hear it; I was sorting out my sock drawer when she was making her contribution.

I just want to clarify a few things. Do I have a conflict of interest with this ridiculous amendment that is before the chamber? If I can be accused of being a lifelong member of the Transport Workers Union and having been awarded life membership of the Transport Workers Union, yes, I have a conflict of interest. If I am accused of being a truck driver, not a university-graduated person who just wanted to get into politics and went to work for a member of parliament or a Liberal law firm—

Senator Jacinta Collins: Apparatchik.
Senator STERLE: I am not one of those, I can tell you. I can be accused of a lot of things but that is not one of them. I have actually been a blue-collar worker. I joined the Transport Workers Union in 1980 when I was 20 years of age because I wanted to join the Transport Workers Union. Do I have a lot of friends in the union movement? Yes, I do. There are a lot of good people in the union movement, both office holders and rank and file members—my oath. But when I am told that an opposition senator thinks it is clever to wrap us all up as—my words, not hers—'operatives for unions', they really need to do their homework. I am proud to say that my wife and I were self-employed. We had our own small family business; so, gosh, forgive me. I actually worked for myself.

Senator Edwards: You'd be the only ones!

Opposition senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop): Order! We'll have a little bit of order, please.

Senator STERLE: Thank you, Mr Acting Deputy President. I do appreciate that coverage. I shake in my boots when Senator Edwards from South Australia attacks me! But you see, I know the value of dirt under the fingernails. I know the value of leaving school and thinking, 'What am I doing to do with myself, because I do not want to go to university?'

I also understand the value of putting up your life savings. I think I had about $1,200 in the bank when my dad said to me, 'If you want to buy a truck, mate, you're using your own money.' I understand signing up to a loan and thinking, 'Now I've got it off.' I also understand the value of putting in a fair day's work for a fair day's pay. I also understand feeling that if I did not have—like hundreds of thousands of other Australian workers have—the safety net of union membership behind me should I need it, what the heck would I do? How would I service my loans if I were, one day, unfairly treated, if the company I worked for decided that they did not need me, through no fault of my own? I worked for one of the largest transport companies in Australia, TNT. At the time, we were the Ansett division, Ansett Transport Industries, so I came through the Ansett sector. They were a very good company until things started going bad. My union membership came in very, very handy, and I am proud to have had that. I am also proud—and I will get to the bill but I just want to let some of those boofheads over there understand that they are not the gatekeepers to all intelligence, let alone good business practice—

Senator Edwards: Mr Acting Deputy President, I rise on a point of order.

Senator STERLE: Only because Senator Edwards just reminded me, as soon as he stood up, that I might have used the wrong word there.

Senator STERLE: I withdraw the 'boofheads'.

The ACTING DEPUTY PRESIDENT: Thank you.

Senator STERLE: Only because Senator Edwards just reminded me, as soon as he stood up, that I might have used the wrong word there.

The ACTING DEPUTY PRESIDENT: Senator Sterle, you might address the question before the chair.

Senator STERLE: Yes. I have withdrawn. Through the chair, I withdraw.

I go back to this ridiculous position we have in front of us, where those on that side think that they are so clever because they go and bash a few unions because it suits the top end of town. I came off the road when I had two young children. It was time to come home and try to
be more than a part-time father. It was time to stop running between Perth and Darwin and try to be home every night. I was employed as an organiser with the Transport Workers Union. I was employed as an organiser with the Transport Workers Union not because I was an apparatchik and not because they wanted to put me in parliament—nothing could be further from the truth. It was because I was a truck driver. It was because I valued a fair day's pay for a fair day's work. Fourteen years later, I left and entered the Senate. But it really irks me when smartypants on that side make ridiculous statements and they have got no idea of our backgrounds. I dismiss the ridiculous contribution from Senator McKenzie. I do not think she would be the only one.

This bill is a nonsense. I could waffle on about what it is all supposed to do. This is ideology as its craziest. This is the Liberal Party, with the help of the Nats, paying back the top end of town. But they are also throwing out a blanket, because they want to talk about some unfortunate misdemeanours we have seen from a couple of people who were employed in union leadership roles. Mr Acting Deputy President Bishop, I know your background too. Apart from being a father of two and a hardworking senator for 18 years, you have been a very successful union secretary. You served a massive membership. The majority of your membership respected not only your intelligence but your thoughts and your wisdom. You represented mainly women, a lot of people who had English as a second language and those working in stores and shops.

This bill is the government delivering to the top end of town. Employers who do the right thing have absolutely nothing to fear in dealing with unions. Employers who are doing the right thing—and there are many, many employers out there that do the right thing; unfortunately it is a few ratbags that bring the rest of them down—have nothing to fear with collective bargaining. But what they have got to fear is when the opposition come out to deliver their thank yous to the top end of town.

If we are talking about the corrupt few, I say: throw the buggers in jail and throw the key away. I am not just making that up. I would have full support from the union movement. They are not the sort of people that we want in the movement. But they are not the only ones, unfortunately, who may be corrupt or who are doing the wrong thing. I have got some statistics I wish to share with you, Mr Acting Deputy President. They are about ASIC. For a bit of background, for those who may not know: ASIC is Australia's corporate market and financial services regulator. ASIC is an independent Commonwealth government body. ASIC is set up under and administered under the Australian Securities and Investments Commission Act and carries out most of its work under the Corporations Act. ASIC currently comes under the portfolio responsibilities of the Assistant Treasurer. Who does ASIC regulate? It regulates Australian companies, financial markets, financial services, organisations and professions who deal and advise in investments, superannuation, insurance, deposit taking and credit. Why am I telling you that? Because I want to tell you of some of the fine work that ASIC has done. In the last three financial years, there have been 79 criminal proceedings completed, 74 people convicted and 45 people jailed—not union secretaries but businesspeople. There have been 30 non-custodial sentences or fines, 73 civil proceedings completed and 70 illegal schemes shut down or other action taken—and I have not even started on that scenario in Western Australia with the Vietnamese market gardeners. There have been 228 people...
disqualified or removed from directing companies. ASIC also publish enforcement reports. The most recent one is for July to December 2013, for which the media statement says:

ASIC achieved 340 enforcement outcomes. This included criminal as well as civil and administrative (e.g. a banning or disqualification) actions, and negotiated outcomes, including enforceable undertakings (EU).

What I am saying is, if you want to look where all the crooks are, it is not how to work out where most of them are. They are in the boardrooms. Through you, Mr Acting Deputy President, it is absolutely ridiculous, the contribution from the other side.

I want to allude to Senator Back's contribution. I have the greatest respect for Senator Back. We do a lot of work together in our RRAT committee. RRAT—for those who are listening—is not what you might think it is; it is rural and regional affairs and transport. Senator Back is very well regarded in agricultural industry, but he is way off track in this debate. I will tell you why he is way off track. In the closing couple of minutes that were available to him yesterday, Senator Back wanted to attack the Maritime Union of Australia. Before that mob over there get all excited and get their undies in a twist, I am just going to make it very clear that I am a personal friend of Christy Cain, the state secretary of the MUA in Perth, and I know you are too, Mr Acting Deputy President Bishop. Christy is a fantastic representative of maritime workers and waterside workers on the waterfronts throughout Western Australia.

But Senator Back had a whack at 50 employees—I think there are about 50, but I will stand corrected—offshore in Port Hedland. I believe they work in the port for Teekay Shipping. Some background: I would hope that every Western Australian would know this, but in Port Hedland every day there are about 30 or 40 ships waiting offshore to get in and load predominantly iron ore out of Port Hedland and get it to the Asian Markets, the Chinese markets, the Indian markets or wherever it needs to go. We have about 50 of these guys, who followed John Howard's dream of actually having to have secret ballots for whether they wanted to take industrial action. They followed John Howard's dream, they had the vote for the Fair Work Commission and they voted to take industrial action on a secret ballot basis. But it does not suit those on that side that there was a secret ballot and workers actually made up their minds that they wanted to take industrial action.

What do they want to take industrial action about? With Senator Back and the Libs it is all about going out there—in my words, not theirs—to try to destroy the iron ore industry or however they put it. They put their case forward: how dare these maritime workers or seamen go out there and want to take action because of safety issues that may cost—and I am using Senator Back's figures here, but I think I did read them in one of the journals to The Australian, which is not to say I like reading The Australian, but obviously I had nothing better to do for that three minutes—the industry about $100 million a day, and the action that was supported could last for seven days. So we have an industry that could lose $100 million a day. You think to yourself: 'A hundred million dollars a day? Crikey, that's a lot of money.' But then you think to yourself, 'Why the hell do these workers want to take industrial action?'

I will tell you what I did. I rang Christy Cain and spoke to Christy. What it is is that, in the trucking industry, aviation, the mines and everywhere, we have fatigue management policies. It is enshrined in legislation, and workers are protected through occupational health and safety laws to be able to have certain hours of rest and certain hours of work. It is done for a very
good reason: to protect not only workers on the site but other workers, particularly in the transport industry—which this mob want to steal from us too in terms of getting remunerated for it. We want our drivers safe. The miners want their miners safe. We want other workers safe. And the seamen, waterside workers and maritime workers want to be safe too.

Christy told me about the BHP shipping operations out of Port Hedland. I was told very clearly—and I know this for a fact anyway—that BHP has fatigue management systems. They have safety procedures everywhere you go. Any of us who have visited a BHP site knows the rules and knows that occupational health and safety is foremost in their mind, and so it should be. And the mining industry does too. It is great, because it is a dangerous industry. But these rules that govern miners and truck drivers are not enforced for the maritime operation. Through Teekay Shipping, who contract to BHP in Port Hedland, whose maritime workers' job every day is to get these ships in nice and quick, get them loaded and push them out, I am told very clearly that these guys are working 12- to 14-hour shifts per day. You think that is a long stretch, but that is just the tip of the iceberg. These guys and girls are actually working these 12- to 14-hour days 28 days in a row. With the greatest of respect, it is all very well for BHP—and if I am off the Christmas list for BHP, stiff—to have rules that govern workers on mines. It is all right for BHP to have rules that govern truck drivers' hours when they are on their sites or come into their sites, which we support. But it does not have to affect workers or cover workers on the ocean. I say to the MUA and their 50 members: good on you, boys. Stick it up them. You want to get home safely.

I do not want to sound alarmist, but what would happen if one of those ships ended up on the beach or, worse still, some other terrible accident happened in the port of Port Hedland because these guys are fatigued? I am backing them. Good on you, fellas. These ships can weigh up to 250,000 tonnes. It alarms me that senators from that side—and I am talking about the Libs and the Nats—cannot get their thoughts past the poor company that may have some financial penalties imposed upon them because workers want to be safe. You guys have got to get real, seriously. You have to save your whips and your ministers. I am too embarrassed to make stupid contributions like that; but, unfortunately, some of them have.

While I am on that, there is another fear there too. Trust me, there is always another angle. Not only did the MUA have to be condemned by Liberals—particularly Liberals from WA, which makes it worse—because how dare they want to be safe; there is another game being played. As Christy Cain informed me earlier, there is a mob—you would be aware of this, Bob—called Saipan. I believe they are an Italian company. I remember Saipan because, when I was out there trucking through the eighties and early nineties in the Pilbara, they were the mob that built the gas pipeline from Karratha to Bunbury. They are working for Inpex, who are building the underwater pipeline through the Ichthys field to Darwin. Saipan are now saying that they have 33 barge loads. I cannot tell you the tonnage—I wish I could—but it is significant. That is 33 trips from Kupang, where these pipes are being made, to come down to be laid as part of their project out there on the ocean to take the pipeline to Darwin. That in itself is good, no worries; it is tremendous and good for Australia. But I will tell you want is not good for Australia: that work has always been performed by Australian workers.

I come from WA, and some on that side may attack me and say I have this thing against foreign workers, but I do not. We welcome foreign workers. This country was built on foreign workers. I am first-generation Australian. But I really have a problem when foreign workers
are used when Australian workers are sitting around with their hands in their pockets. They are used because—and I will take my 32 steps and say it outside publicly—they will be paid a heck of a lot less than Australian workers.

**Senator Edwards:** Why have they got their hands in their pockets?

**Senator STERLE:** Through you, Mr Acting Deputy President, Senator Edwards from South Australia really has no idea what is going on with working people. Their work has been taken because they are losing their work to foreign workers. In WA a classic example this week was the disgraceful uncovering of the Vietnamese market-gardening operation. I think we are up to about 120-odd. I know that Senator Abetz as the Minister for Employment might be able to tell me how many foreign workers are treated like absolute animals, caged in rooms of 30 people with, I believe, one toilet. They are being absolutely exploited. I do not support this bill; I reckon it is a load of bull. But I do support the maritime union's members—I support Christy Cain—and I wish them all the very best in their pursuit of safe working practices.

BHP are welcome to ring me and tell me that this is not the case. How can you have safety procedures, how can you espouse to be the king of all safety in looking after your workers if they are on a mine or in a trucking operation coming to your mine, and how can you absolutely keep a straight face and say that that does not affect you with the maritime workers and with the shipping because they are employed by a contractor? Do not be fooled by the crocodile tears coming from BHP. Christy, all the best, and to your members, the brothers and sisters out there on the Port Hedland port, I wish you well in your procedures for a safe working environment.

Mr Acting Deputy President, I will not be supporting the bill.

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (10:53): I thank those senators that have partaken in this debate for their contribution. Let us remember what this bill is about. It is, in fact, the Fair Work (Registered Organisations) Amendment Bill. It is seeking to implement the policy that we as a coalition announced well in advance of the last election; in fact, 12 months in advance. It was out there for all to see. I thought we had won the election but, no, the Labor Party and the Greens are going to keep using and abusing their majority in this place to frustrate the will of the Australian people. If I recall Senator Wong correctly, this morning in the media, she said that she and the Labor Party were elected to oppose. They were elected to oppose the government. I think that says it all. It indicates the mindset; it is their negativity; it is their resentment of the Australian people voting for a change of management on 7 September last year.

What is this registered organisations commission bill all about? It is very simply this: under corporate law, if a company director rips off his or her shareholders, they potentially face a period of imprisonment of five years, or a fine of, I think, $320,000. Now, if you go to a union official or, indeed, an employer organisation official that rips off his or her members, do you know what the penalty is? It is $10,000. Those opposite in all their ranting and raving and contributions in this debate were not able to indicate in any way, shape or form what the material or moral difference is between a company director ripping off shareholders or a union official ripping off members. What is the difference, morally or materially? Absolutely nothing.
What we are seeking to do in this legislation is to make the penalty regime for ripping off shareholders the same as for ripping off members. Why did we think that that was necessary? Because of the former Labor member for Dobell, Craig Thomson, because of the former National President of the Australian Labor Party, Michael Williamson, because of Mr Blewitt and Mr Bruce Wilson of the Australian Workers Union scandal of some 20 years ago, we believe there was the need for a regime that put in place penalties that would ensure, or hope to ensure, that if you do the crime you would actually do the time and pay a penalty.

**Senator Bilyk interjecting—**

**Senator ABETZ:** My goodness, we have the former union official from the other side. They are all the same from over there. They are here courtesy of the unions, by the unions and, regrettably, for the unions. Keep in mind that the Australian workforce has determined for themselves, now that the coalition has given workers the opportunity to decide whether or not to join a union, and 83 per cent have decided not to belong to trade unions. I just ask the simple question: I wonder why? Indeed, there have been some decent trade union officials who have come to me and said, 'Whatever you do, don't quote my name or where I'm from but, Eric, you are doing a great thing for the trade union movement in this country with this legislation. Because you know what, all I want to be is a shop steward. I want to be a person that looks after the interests of the workers. I have no desire to become a Labor senator, therefore I don't need slush funds, therefore I don't need to have slush funds to boost membership.'

**Senator Bilyk:** Mr Acting Deputy President, I rise on a point of order. Senator Abetz is alluding to the fact that he believes all Labor union officials who become senators have been involved in slush funds, and I find that completely and utterly offensive.

**The ACTING DEPUTY PRESIDENT (Senator Furner):** There is no point of order.

**Senator ABETZ:** Well, the former Labor leader that Senator Bilyk helped knife, Ms Gillard, in her exit interview with Slater and Gordon admitted that every union has a slush fund. So, Senator Bilyk, I either take your word or Ms Gillard's, your former celebrated Prime Minister. One or the other must be right or wrong. I will let the public of Australia determine as to whether Senator Bilyk or Ms Gillard was correct, but I am not going to get involved in that debate.

**Senator Jacinta Collins interjecting—**

**Senator ABETZ:** Senator Collins, another former union official. They come into this place thick and fast. The simple fact is this: Ms Gillard said it in her exit interview with Slater and Gordon, 'Every union has a slush fund.' She is either right or wrong. We believe that there should not be this sort of mechanism that is now being shown with the Australian Workers Union and its Victorian 2020 fund that collected $250,000. A union official, using the union's name, collected hundreds of thousands of dollars but never put it through the union books—exactly the trick of Ralph Blewett and Bruce Wilson 20 years earlier. The CFMEU started off a drug and alcohol fund—a very worthy cause. There was $1 million allegedly raised for it from employers and elsewhere. The sad fact is it appears that not one cent has actually been spent on that. But it will be revealed in the royal commission in due course whether or not that has occurred. We then hear about the Electrical Trades Union waterfront mansion for one of their officials and so the list goes on. It seems to us as a government, having taken these
issues to the Australian people, that this is the sort of legislation that nearly every union member actually wants because it protects their money.

I have got news for those sitting opposite. As I go around factory floors and other workplaces in Australia, the vast majority of the workers that are actually union members—so it is a majority of a very clear minority—say that they are members of a union not because they want to hold hands and sing _Solidarity Forever_ but because they see their membership as an insurance policy for their own protection. So the relationship is a bit like house insurance: it is a payment they make in the hope they will never have to use it. But you know what? Union members want a proper guarantee that their money will be used for the purposes for which they give it. And that is why insurance companies have robust reporting mechanisms required of them as should registered organisations.

It is passing strange that having announced this legislation as we did before the election, which Labor says is completely unnecessary, Mr Shorten, in one of the most clumsy, flat-footed approaches and indeed panicked by our policy, raced into this place with some legislation which Labor and the Greens rammed through this place without proper consideration, which has now left the reporting requirements in an absolute shambles. Indeed, the trade union movement has been to me requesting that we amend Mr Shorten's legislation because it was so hopeless. The Senate committee looking into our bill suggested we make amendment to the existing legislation to undo the mess Mr Shorten created with the help of those Labor and Green senators sitting opposite. Yet again, it is another example where Labor, in its dying days and in cahoots with the Greens in this place, forced through legislation that was not thought out, that tied people up in red tape serving no useful purpose and then tried to window-dress to overcome the need for what everybody understands is necessary—that is, a more robust supporting system and stronger penalties.

Now we have before this place, as part of this legislation, some amendment to fix up Mr Shorten's mess. Labor and the Greens, I suspect, will be voting down this legislation, which will mean we do not even get the opportunity to clean up Mr Shorten's mess, which, the trade union movement in agreement with the employer organisations believe should be cleaned up. They are on a unity ticket on this but Labor senators opposite, so absolutely committed to ensuring that no robust reporting conditions be applied to unions, will say, 'Bad luck brother and sister'—to use Senator Sterle's language in the union movement. You will have to cop these reporting conditions that will regretfully see shop stewards having to report what their spouse might be earning or what assets they have.

We as a coalition did not ventilate the activities of the Craig Thomsons of this world and the Michael Williamsons of this world or the other activities that are slowly being ventilated but—I have said this before and I will repeat it—the Fairfax Media and the ABC, surprisingly, exposed some of the scams that were operating. They simply asked the question: why shouldn't the honest trade union members, the honest trade union men and women of Australia be protected from all these scams that have now been uncovered and disclosed? Why should they not be protected?

It is interesting that, in all this, we do in fact have the support of such people as Paul Howes of the Australian Workers Union and of Chris Brown, Simon Crean and Martin Ferguson, who are both former presidents of the ACTU, who are both former ministers in a Labor government and who both have had a lifetime of commitment to their service to the
trade union movement, see the need for the act of the trade union movement to be cleaned up. If they can see it, why cannot those that are currently holding office, courtesy of the trade union movement in this place, see it as well? If ever there was a conflict of interest writ large it is in relation to those Labor senators in this place, who are, I understand, going to vote down this legislation.

It will be a matter of great regret if this legislation does not get carried. It is legislation that we put out there in lights before the election. We said it was important legislation. We therefore said it would be introduced within the first week of the parliament sitting because it was so important. Can I thank the departmental officials and the parliamentary draftspeople that worked so hard to make sure it was ready for the first week. And here we are in the Senate with Labor and Green senators denying the will of the Australian people, still in full resentment mode of what the Australian people decided on 7 September and in denial of that which their own party elders like Martin Ferguson and Simon Crean have said to them: 'This is basically good legislation. Let it go through and clean up the trade union movement.' Then in relation to the amendments that we are moving to the existing legislation, you do know, those sitting opposite, that those amendments are fundamentally required for the benefit of the trade union movement itself and employer organisations and you are wilfully blocking that and as a result making life exceptionally difficult for the administration of the trade union movement.

We can hear about the terrible things that occurred in a market garden in Western Australia. I simply say to Senator Sterle that the workplace relations legislation and framework in Australia has not changed over the past seven years. These things have happened under Labor's Fair Work regime. You cannot blame the coalition for the atrocities. If what Senator Sterle says is right, and I am willing to accept that, I just remind those opposite that it has all occurred under their watch, under their legislation, under their regime. Bad as it is, condemned as it should be, I ask: how does that relate to getting rid of corruption out of the trade union movement? It is completely and utterly unrelated but a desire to use up the time, because there is no argument against that fundamental proposition, which is, what is the moral difference, what is the material difference, between a company director ripping off shareholders and a union official ripping off members? Why shouldn't the penalty be the same? None of the Labor senators in their contributions have dealt with that issue in any way, shape or form.

We know we have got argument on our side, we know we have got right on our side, we know we have got the people of Australia on our side. The regrettable fact is, and we recognise this, that the Labor Party and the Greens are not on the side of the people of Australia, on the moral side of this debate. I commend the bill to the Senate.

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

The Senate divided. [11:15]

(The President—Senator Hogg)

Ayes .................29
Noes ..................36
Majority ..............7
AYES

Back, CJ (teller)  Bernardi, C
Birmingham, SJ  Boswell, RLD
Boyce, SK  Brandis, GH
Bushby, DC  Cash, MC
Colbeck, R  Edwards, S
Eggleston, A  Favceet, DJ
Fierravanti-Wells, C  Fifield, MP
Kroger, H  Macdonald, ID
Mason, B  McKenzie, B
O'Sullivan, B  Parry, S
Payne, MA  Ronaldson, M
Ruston, A  Ryan, SM
Sebullion, NG  Seselja, Z
Sinodinos, A  Smith, D
Williams, JR

NOES

Bilyk, CL (teller)  Bishop, TM
Cameron, DN  Carr, KJ
Collins, JMA  Conroy, SM
Dastyari, S  Di Natale, R
Farrell, D  Faulkner, J
Furner, ML  Gallacher, AM
Hanson-Young, SC  Hogg, JJ
Lines, S  Ludlam, S
Ludwig, JW  Lundy, KA
Marshall, GM  McEwen, A
Milne, C  Moore, CM
Peris, N  Polley, H
Pratt, LC  Rhiannon, L
Siewert, R  Singh, LM
Stephens, U  Sterle, G
Thorpe, LE  Tillem, M
Urquhart, AE  Waters, LJ
Whish-Wilson, PS  Wright, PL

PAIRS

Abetz, E  Brown, CL
Cormann, M  O'Neill, DM
Heffernan, W  McLusca, J
Johnston, D  Wong, P

Question negatived.

Migration Amendment Bill 2013
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.
Senator MOORE (Queensland) (11:18): The opposition will be supporting this legislation, the Migration Amendment Bill 2013. I must put on the record at the very start that one of the key reasons that we are supporting this legislation is in the explanatory memorandum to the bill, which has been publicly made available, which goes into great detail about the reasons that this bill actually does confirm our international obligations. Consistently in the argument over many years the important element has been where Australia’s decisions fit within the international area of decision making. So, whilst we have concerns about elements of the bill—and I have to put on record that I have had those concerns and have raised them—on the basis of the explanation in the explanatory memorandum, the ALP has determined that it does meet the obligations.

It is a technical bill. The intent of the bill is to give certainty—and that is very important. Whether or not people are happy with the policy, it is absolutely critical that everybody has certainty about the decision-making process, where they stand and what options they have.

The bill before us has three schedules. Just for the record, I will go through the schedules—because that is what we do in this place; we read out what is in the schedules even though everybody has the information. Schedule 1 of the bill allows that a decision on review of a refusal, cancellation or revocation decision by the minister or his delegate is deemed to be made on that day and at the time when a record of it is made, not when the decision is notified to the applicant. It removes any doubt as to when the ministerial or delegate decision is made and when an application is finally determined and no longer able to be reviewed. The amendment clarifies that an oral decision by the RRT or MRT is taken to be made and becomes final when it is given and it removes the necessity to notify the applicant and the secretary of the department, as was previously the case for RRT reviewed decisions.

As with many of the clarification aspects in this legislation, this particular schedule has been a reaction to a court decision. When the courts bring down a decision which indicates any lack of clarity or uncertainty, it is important that the government of the day takes action to ensure that certainty is entrenched. So we are saying that, in terms of this process, we are responding to the concerns of the Federal Court and acknowledging that the government has put a process in place. We also want to put on record that it is absolutely essential that the person about whom a decision had been made is made fully aware of the decision and the basis of the decision and is given full consideration so that they understand what is happening to them. That is actually a position of natural justice. We believe that, no matter what legislation we are dealing with, in any form, the principles of natural justice must be maintained.

Schedule 2 of the bill would prevent a non-citizen who has been refused a protection visa or had a protection visa cancelled from making a further protection visa application whilst in the migration zone. Again, it is very important that we ensure that people are certain of their situation and their responsibilities, but the process cannot go on endlessly in terms of the action. Once a decision has been made with the full understanding and engagement of the person who is involved, it cannot then go on as has seemed to have occurred in some cases through concerns that have been raised through various reviews, inquiries and the court system.

Schedule 3 deals with the sensitive issue of persons who have a negative ASIO assessment. This has been a longstanding issue of concern. The schedule that we now have makes it
completely clear that persons who have a negative assessment from ASIO will be unable to gain a protection visa, and that fact will not be reviewable by any tribunal or, indeed, ultimately, the minister. It is a significant step to take, and the decision we come to must be very cautiously and carefully determined.

As you well know, Mr Acting Deputy President Furner, in the whole area of ministerial discretion—of the minister being called upon to make, individually, these decisions—this issue has been of genuine concern, to many people in this place and in the wider community. We understand the history of that. Certainly, when you are not the minister, it seems to be a particularly attractive process—that there is always, for the minister, the ability to step in, reconsider and make a decision. But I have talked to a number of people who have had the onus of responsibility on them—who have been the minister in this field—and this has been a very difficult area.

So the intent of the legislation put forward by the government is for the process to be clear, to ensure that there is no grey area which leads to more concern and stress, and for the ASIO determination—as was the original intent when the legislation came in—to be based on a range of things: health, identity and security. From the very start, the issue of security was most important.

We do acknowledge that any ASIO decision must be done in a timely way. And I know that sounds very easy to say. But when there is any decision which determines someone's future the expectation, quite rightly, is that the decision is made in a timely and respectful way. So if someone is under scrutiny—if there is concern about issues to do with security—there must be an understanding within the system of the need to make decisions carefully and also in a timely way. But the intent of this schedule is to determine that, whilst the ASIO determination is unresolved, there is no ability to change the decision or to have ministerial discretion in the process.

The shadow minister in his contribution in the other place made it very clear that our support was on the basis of clarity, so that people understand their position. We have raised and will continue to raise concerns about delays or uncertainties, or behaviour to or treatment of individuals which seems to be unfair or unreasonable. However, on the basis of the information, the recommendation is that the ALP will be supporting the legislation.

Senator HANSON-YOUNG (South Australia) (11:25): I rise to speak to the Migration Amendment Bill 2013 and to make the Greens' position on this piece of legislation very clear.

We do not support this piece of legislation, for a number of reasons.

Firstly, this legislation enacts changes that circumvent a number of rulings of the courts, thus thumbing our nose at the rule of law, and locking people—who have already been found to be in genuine need of Australia's refugee protection—into indefinite detention, possibly for the rest of their lives. This bill also enacts changes to the Migration Act that go against recommendations that have come before this chamber a number of times over the last few years.

There was a report by the Joint Select Committee on Australia's Immigration Detention Network. Its recommendations, which were supported by both the Greens and the Labor Party, said that those refugees who had adverse ASIO assessments needed to have periodic
reviews—needed to be able to access some form of fairness within the system. This bill does the exact opposite.

This bill says that any refugee—anyone who has arrived in Australia and been found to be in genuine need of protection, who has fled war or torture, whose family has had to scrabble together enough to get out of a scene of brutality, and who has arrived in Australia and been acknowledged, through all of the checks and balances, to be a refugee—on whom there is a little red flag from ASIO—keeping in mind that, when that happens, unlike Australian citizens, refugees are not able to access the reasons why that little flag from ASIO has popped up—is condemned under this piece of legislation to never being given a refugee protection visa, despite the fact, putting everything else aside, that they are entitled to that protection. Rather than finding a way of managing the needs of that particular group—and there are not many of them; there are currently only 50 refugees who have this adverse security assessment flag against them, not knowing what the claims are, never being able to have their case heard in a court, effectively being sentenced without trial—they are going to have to remain in immigration detention for the rest of their lives if they are to remain in Australia. That is effectively what this piece of legislation is doing.

It is inhumane. It is in stark contrast to international law, and it has been condemned by international organisations, including the United Nations, time and time and time again. It is an affront to basic fairness and justice under the law.

I just want to take some time in this chamber today to tell you about one of the people that this bill will affect. Her name is Ranjini. She is a young mother. She and her three children are currently in immigration detention at the Villawood detention centre in Sydney. She has been there for a number of years. Her youngest child was born in immigration detention; that child has never seen the reality of freedom in the outside world. Her oldest son is suffering severe developmental issues because of being kept in immigration detention indefinitely. This young mother and her three children do not know why it is that ASIO has a red flag against them. They have not been able to put forward their case. They have not been able to defend any of the accusations. None of this incarceration has been before a court, yet this young woman and her three children remain incarcerated indefinitely and, under this bill, this young woman may be there for the rest of her life.

Ranjini and her two young children arrived in Australia after fleeing torture and brutality in Sri Lanka. After being found to be a genuine refugee she thought that she would be able to start to rebuild her life and provide a fresh start, a secure start, for her and her young boys. She was living in the community, having been found to be in genuine need of protection. But, after a call from the immigration department asking her to come back to see her case officer—after already living in the community, safely, and starting to rebuild her life; her boys had started going to the local school—she realised that she had received a negative ASIO assessment. She was ripped out of the Australian community. Her boys were taken out of school. They were flown from Melbourne and locked up as prisoners in the Villawood detention centre—that was three years ago—where they remain today.

At that time Ranjini had already met a new partner in Australia, had got married and had fallen pregnant with her third child. That third child, a baby boy, was born in immigration detention. He has never seen the outside world and the real meaning of freedom. Ranjini and her three children have been in detention for three years. She has been told that, despite
having the assessment by ASIO reviewed, she will have to remain there. This chamber has had recommendation after recommendation, calling on the government of the day to come up with a better way of managing cases such as Rajini's.

If somebody is found to be in genuine need of protection and a young family is incarcerated, then surely there is a better system than keeping them locked up forever just because there has been a flag from ASIO. There was no degree of seriousness stated—and I think this is really important to understand—when the assessment was made. We do not know whether Ranjini is a high risk, a medium risk, a low risk, a somewhat risk or a maybe risk. The flag is one size fits all. No appropriate management of that response is carried by this government. It is a policy decision; it is not the law. There is nothing in law that says that Ranjini and her three children need to remain in immigration detention. If Ranjini were an Australian citizen, she would have had her case heard before a court, she would have been able to have somebody advocate and defend her, and she would have had a fair trial. This young mother and her three children have been sentenced to life without having any access to a trial, let alone a fair one.

Ranjini has no right of appeal. She is now, effectively, left in immigration detention to rot. Her children suffer every day and she has been given no information as to why she is deserving of such treatment. It is all under the lock and key of ASIO and the minister.

Not for one moment are the Greens arguing that we do not need these checks and balances. Of course we do. We need to know who people are, where they come from and what possible threats they may or may not bring with them. But you cannot just lock up somebody and throw away the key and not give them the chance to access a fair go under the law. But yet that is exactly what the current law does and what this piece of legislation enshrines even further.

As I said, this bill is about circumventing a number of decisions made by both the High Court and the Federal Court. It has been a regular practice in this place over the last couple of years—it was under the previous government and, sadly, it seems as though it will continue under this government—that whenever a court makes a decision that does not suit the government of the day, bang, before we know it legislation is drafted, it is on the table and we are changing laws to suit the government rather than those who take on board the warning signs of the highest courts in the land.

What makes Australia a great country is our adherence to the rule of law and the fact that we pride ourselves in having a fair go before the law—everyone taking responsibility, everyone understanding that consequences occur, but having a fair go before the law. But not if you happen to be an asylum seeker who comes from Sri Lanka, caught up in the horrors of the brutal civil war or a young Hazara boy who has had to flee the Taliban in Afghanistan! Australia prides itself on the rule of law but not for those who actually fall within the definition of 'a refugee'.

As I said, there are currently 50 refugees, including five children, who remain in immigration indefinitely. If this bill passes they will remain there for the rest of their lives, unless they can be deported to another country somewhere else, which of course will not happen because, if Australia thinks they are a good enough threat to keep locked up for ever and a day, then how on earth would it convince another country to take these people? It is an
absolute affront to the basic rules of law and justice for some of the world's most vulnerable people.

In other countries, the balance between ensuring that there are proper assessments of people and how to work out what is the appropriate management of them is taken very seriously. Countries like Canada and our cousins over the ditch in New Zealand have a special clause in their law that understands the need to accept that refugees who have fled war, torture, persecution and brutality need the opportunity to be able to argue their case and appeal this type of incarceration, just like an Australian citizen does. Why is it that, if ASIO says Joe Bloggs who lives down the street from me is a risk, we accept that he can argue his case in a court of law? He does not have to be put in immigration detention. If ASIO thinks he is just as much risk as anybody else who has an adverse assessment, he can argue his case. Yet, if you are a young mother who has fled the brutality of civil war in Sri Lanka, you do not have the same right. It is an abuse of the vulnerabilities of these people, it is an abuse of human rights, it is an affront to basic justice and it is a breach of international law.

In August last year the UN Human Rights Committee found that Australia had committed 143 human rights violations by indefinitely detaining the group of 50 refugees, including children. We had violated 143 times, and yet here in this place we see the Labor Party and the coalition saying, 'We'll just ignore that. We'll just ignore what this means in the international context and what this means to the UN bodies that we have signed up to. We'll ignore the warning signs from the highest court in the land and we'll change the law to suit ourselves.' What makes this country great is that we have a fair go before the law and we treat people equally. It seems not, of course, if you happen to be a refugee.

We should be addressing these violations, we should be finding practical, responsible and secure ways to manage the needs of these people, but it seems that for the government of the day it is all too hard. It is easier to just condemn a young mother and her three children to incarceration for the rest of their lives. Who is going to care anyway? That is pretty much the attitude from the major parties on this front. We are damaging these children, knowingly and deliberately, for the rest of their lives. The young baby born in immigration detention has never seen the outside world has not broken any laws. Who is the young mother who fled the brutality in Sri Lanka—desperate to put her life back together and desperate to give her kids freedom and protection—really a threat to? What threat is her son—who goes to one of the schools near the Villawood detention centre—to the other seven-year-olds he sits in class with, whom he is desperate to build friendships with? I will tell you a story. This young boy, because of these harsh laws and this abhorrent attitude, was banned from participating in his school class photograph because the immigration department thought that it would be a threat if he was in the school class photos. He came back to the immigration detention centre at the end of the school day and asked his mum, 'Mum, why wasn't I allowed to have a school photo like my friends?' That is what we are doing to these children. That seven-year-old deserves a fair go. His mother deserves a fair go.

Yes, let's come up with ways of managing potential threats, whether people are born in Australia or not, but do just condemn somebody to indefinite incarceration because it is the easy way out. We all know what this is about. This is because it is easier to play the fear card in relation to asylum seekers and refugees than it is to stand up for what is right, to stand up for a fair go before the law. It is absolutely abhorrent that, despite everything that has
happened in the last six months—in particular, the chest-pumping of this government and the brutality of the Abbott government's approach to refugees and asylum seekers—the Labor Party could even sit here and vote for legislation that condemns a mother and her children to a life of imprisonment, with no trial, no appeal and no-one to advocate for them.

It is only 50 people at the moment, but they deserve a fair go and the children deserve a childhood, and they are not being given that. If this bill passes, they never will have that. How would it make Mr Morrison, Mr Abbott or Mr Shorten feel if they were their children? Parents who flee the brutality of war to get their children out of there and to give them safety and protection deserve as much protection under the law as if their children had been born here. How arrogant of us as a nation to say, 'We believe in the rule of law and fairness, but only for those we choose.' It undermines the very values of a fair go: justice, the rule of law and protection for the most vulnerable.

The Greens condemn this bill and will not be supporting it.

**Senator IAN MACDONALD** (Queensland) (11:44): I support this bill and think that it is another step by the minister in trying to bring some sense and certainty to the whole refugee and migration program. I congratulate the minister on what he has done. I have long been an adversary of those supporting the illegal arrival of people into our country, on the basis that every person who arrives illegally further pushes out someone who is doing the right thing by waiting in a squalid refugee camp somewhere around the world for their turn to get to Utopia—Australia. I congratulate the minister on the work he has done on border control. It is a fantastic record and it will help regularise our refugee and migrant intake. In the budget, something like $2½ billion will be saved because detention centres can be shut down. The sheer cost of dealing with people arriving illegally in our country has been addressed by the fact that no-one now is illegally arriving, so all congratulations to the minister for that.

I want to speak on some comments and recommendations by a couple of Senate committees of which I am a member. The Legal and Constitutional Affairs Legislation Committee made three recommendations on this bill, the third of which was that the bill be supported. But the third recommendation also contained a plea, a request, a recommendation that the government seriously consider recommendations 1 and 2. Recommendation 1 related to hearings of the Refugee Review Tribunal and the Migration Review Tribunal. When a matter is brought before one of those tribunals by an applicant a decision is made but, as I understand it, the decision is only communicated by mail, or by some transmission process, but not in a court. I accept that these tribunals are not courts and they fulfil a different role from courts, and I do understand that they do need a degree offered stability. But we did here evidence from applicants who have been before the tribunal. What I understand happens in most cases is that the tribunal reserves its decision and then at some time the tribunal registry writes out to the applicant and tells them the decision. That is fine if they get the advice. But for any number of reasons, some of which were mentioned to the committee—applicants move, the addresses are not valid or something else has happened—some persons never actually receive advice of the decision.

I and the committee understand that the department need some certainty as to when decisions are finally determined. I and the committee agree that there has to be that certainty—and some of the provisions put in place by this bill help with that. But it concerns me that there are instances where people, through no fault of their own, do not actually
receive advice of the outcome—and the appeal provisions are then in some difficulty. I hope the minister might refer to this in her final address, but I understand there is a suggestion that, if someone does not actually receive advice, then it is a defective advice and the appeal times do not run until the person is advised. That was not, as I recall, the evidence before the committee. I thought some of the evidence given before us did relate some instances where, through no fault of the applicant, the applicant was not aware of the outcome until somebody turned up at the door and said, ‘You're being deported.’ As a lawyer and a politician, I find it unfortunate that there is not any certain way that applicants can be advised of the final decision.

Recommendation 1 was that the committee recommend to the department that it put in place policies and procedures, consistent with the act, which would support applicants to seek leave to apply out of time or apply for alternative forms of review in the rare situations where the department or tribunal fails to correctly notify the applicant and the applicant has been directly disadvantaged. If there is an answer, I would have hoped that the minister may have responded before this time. As everyone knows, this is my government and it is my minister. But that does not absolve anyone on the executive, in my view, who ignores recommendations and reports of this parliament, of this Senate committee.

I have a vague suspicion that I read somewhere that an explanation was given for why you could not reconvene the tribunal to actually deliver the judgement in person—which is what I and others suggested at the committee hearing. We suggested that, if it was 12 months later—and in some instances I understand that it is—that the decision was about to be delivered, the applicant should be advised. They could appear in the tribunal by themselves or via counsel and actually hear the decision and would then know straightaway what the decision was. And then, if there were appeal processes, they could start straightaway. I hope I am not misjudging the minister—perhaps he has written to me and I have lost it in my paperwork—but I would hope that any minister would respond seriously to recommendations of Senate committees.

Recommendation 2 was dealt with not only by the Legal and Constitutional Affairs Legislation Committee but also by the Scrutiny of Bills Committee, which met this morning and—unknow to me, I must confess—had raised the same issue. The minister did give a response to the Scrutiny of Bills Committee, which I will relate. Again, it was not a particularly useful response, but at least it was a response to the Scrutiny of Bills Committee.

Recommendation 2 was:

… that the … Government consider putting in place a regulatory framework to underpin the powers, authority and role of the Independent Reviewer of Adverse Security Assessments.

I think most Australians would expect that under Australian law it is a criterion for a grant of a protection visa that an individual does not have an adverse security assessment by ASIO. I think we would all accept that. If ASIO have some real problems with an applicant then we as Australians do not want that person in our country. I think that is in order.

But ASIO, as they admitted in evidence before the committee, are not always perfect. Sometimes they do make a mistake. They gave, as I recall, evidence saying that on one occasion they had given an adverse security assessment. They then, some months down the track, realised that they had got it wrong, that the information they had been working on was not valid, and they withdrew their assessment. So it does happen, on the admission of ASIO
themselves, and I am sure that, human nature being what it is, there are at times mistakes made.

To address that, governments in the past have arranged for what is called the Independent Reviewer of Adverse Security Assessments to have a role not in rehearing or completely reassessing the work that ASIO has done but in cases of people who feel that they have been judged on the wrong basis, on the basis of the wrong facts. They can approach the independent reviewer, as I understand it, and have the matter looked at. The situation, I understand, works well.

We noted in our report that the committee supported 'the excellent work undertaken by the Hon. Margaret Stone in her role' as the independent reviewer and that this system does work. That is good. We all support that. Unfortunately, though, the position is not a statutory or a regulatory position; it is a policy position of the government of the day. Accordingly, while it seems to work well and everyone seems to be happy with that, tomorrow a government could say, 'Sorry, that position is abolished; it's gone.'

This is a very important issue. I am a great supporter of ASIO. I know they do a very, very difficult job. I am not one of those who would in any way want to diminish their powers, because they do a fabulous job in protecting and supporting our country and my fellow Australians. But, as I say, given the instance—and there are many others, I understand—where mistakes have been made or a decision has been made on wrong facts, this process of the independent reviewer does give confidence to me and everyone else in a democracy like Australia that, if decisions have been made on the basis of completely wrong facts or maliciously or in any other improper way, there is someone you can go to and say, 'Hey, can you have a look at this because I think they got it wrong?' So it works. It is good. Everybody supports it. But it is only a policy decision.

Recommendation 2 of the Legal and Constitutional Affairs Legislation Committee was that the government look at putting some more certainty into that position. As I say, as far as I am aware, there has been no response by the government to that recommendation. Perhaps the minister may be able to address that in her final summation. But the same issue was raised by the Scrutiny of Bills Committee. The issue there was that, while there is a process for independent review of adverse ASIO security assessments, in the light of concerns particularly that the process is fully administrative, independence is not guaranteed by the law and the whole scheme is 'subject to administrative alteration or abolition at any time'. That is from the Scrutiny of Bills Committee report.

The report goes on to say that the committee sought advice from the minister on whether the independent review process should be placed on a statutory basis. The minister responded to the scrutiny committee and did not answer the question—which mildly annoys me as well—so the committee wrote again to the minister. The minister did then say that placing the independent review process on a statutory basis is beyond the policy intent of the bill. The minister also noted the role of the Independent Reviewer of Adverse Security Assessments but stated that the government does not consider it appropriate or necessary that an independent reviewer be established on a statutory basis. I am reading from the digest. I am not sure that the government gave any reasons why they did not consider that the additional scrutiny needed to be subject to regulatory or legislative attention, so I again ask the government. The minister has just mentioned to me privately, and no doubt she will put this
on the record, that this independent reviewer of adverse security assessment is not a matter for
the immigration minister but rather the Attorney-General. I accept that that would be the case,
but the recommendation of the committee was not a recommendation to the Minister for
Immigration and Border Protection; it was a recommendation to the Australian government,
of which the Attorney is a member, about that issue.

The fact that these amendments have not been followed does not cause me to suggest that
the Senate should not support this bill. I certainly will be supporting the bill. But I would hope
that those two issues do receive the attention of the government sometime in the future. There
may be a very good reason why the independent reviewer of adverse security assessments is
just there as a policy decision. But if that is the case then I would not mind hearing it. It would
seem to me that this process of assessments and then those assessments having very dramatic
results in what happens to applicants in the future is something that perhaps governments
could look at making more secure. Like the appeals court, like the High Court, perhaps we
should do that. I look forward to the minister responding to those two things and putting on
record what the government's decision is.

With those concerns about the process, this is a bill that does take Australia forward. I
think it is a very worthy bill and I certainly will be supporting it.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border
Protection and Minister Assisting the Prime Minister for Women) (12:01): I thank senators
for their contributions to this important debate. The Migration Amendment Bill 2013 amends
the Migration Act 1958 to remedy three distinct issues resulting from recent court and tribunal
decisions that significantly affect the operations of the Department of Immigration and Border
Protection, particularly its capacity to process visa applications and to be clear when a person
is available for removal from Australia. The bread and butter of the department's work is
facilitating the movement of people across our borders for commerce, tourism, trade and
study, and one of the department's most important roles is nation building through a targeted
immigration program.

The role is also rooted in a matter of national security and the protection of that national
security, and the decisions that are made carry important consequences and an important
responsibility for those who have to make decisions in government in this country. One
important responsibility is to enable legitimate visa holders with a genuine purpose to travel
and conduct business here whilst ensuring that those persons who are a threat to national
security or are seeking to abuse the system are prevented from entry or removed from
Australia, where they have no permission to remain. It is critical that Australian legislation
supports the work and decisions made by the Immigration and Customs and Border Protection
officials on our front line and enforces the integrity of these processes. We are committed to
restoring integrity and confidence in our immigration program. That is fundamental to having
a successful immigration program that Australians have confidence in and Australians support
and that enables us to continue to run an immigration program which is the cornerstone to so
much of both economic and social success in what I describe as an immigration nation.

The measures contained in this bill before the Senate today go towards achieving that
purpose by clarifying and remedying matters that have arisen in a series of recent court
decisions. The first schedule to the bill will put beyond doubt that the decision on review or
visa refusal, cancellation or revocation decision by the minister or his delegate is taken to be
made on the day and at the time when a record of it is made and not when the decision is
notified or communicated to the applicant or the former visa holder. The amendments address
the decision of the full Federal Court in the case of the Minister for Immigration and
Citizenship v SZQOY of 2012 that the RRT's decision-making power in respect of review is
not exercised or spent until the review decision is notified irrevocably and externally. The
amendment also addresses the full Federal Court's decision in the Minister for Immigration,
Multicultural Affairs and Citizenship v SZRNY of 2013 in which the full Federal Court
extended the judgement in SZQOY and found that an application is finally determined that is
no longer subject to a form of merits review only when the review decision of the RRT is
notified to both the review applicant and the secretary of the Department of Immigration and
Border Protection according to law. It was immaterial that the review decision had been
notified externally and that the review applicant has actually been notified of the review
decision despite any error in the notification itself. These findings cause potential difficulties
and risks in the administration of the act. For example, the concept of an application being
finally determined is crucial to liability for removal under section 198 of the act. These
amendments are critical, as they will remove any doubt as to when the decision by the
minister, delegate or tribunal is taken to be finally made and when an application is finally
determined.

The second schedule of the bill clarifies that a person in the migration zone who has
previously been refused a protection visa or who held a protection visa that was cancelled is
prohibited from making a further protection visa application. This applies regardless of the
basis on which the earlier protection visa application was made or granted and regardless of
the basis upon which the further protection visa application purportedly relies. The
amendment addresses the decision of the full Federal Court on 3 July 2013 in SZGIZ v the
Minister for Immigration and Citizenship. In that case the full Federal Court found that
section 48A of the Migration Act only prohibited the making of a further protection visa
application that relied on the same ground or criterion as the previously refused protection
visa application. That means that, for example, if a noncitizen previously made a protection
visa application raising claims under the refugee convention, section 48A of the Migration
Act would not prohibit a new protection visa application based on complementary protection
claims. By restoring the intended operation of the statutory bar in section 48A of the act, the
amendment will preserve the integrity of Australia's protection visa program and avoid its
abuse, by preventing noncitizens without meritorious claims for protection from delaying
their departure from Australia by making protection visa applications on different grounds
each time.

The third schedule of the bill addresses the decision by the High Court in Plaintiff
M47/2012 v Director-General of Security & Ors [2012] HCA 46. In October 2012 the High
Court of Australia found that the use of public interest criterion 4002 in the Migration
Regulations 1994 was not a valid criterion for the purposes of a protection visa application.
Public interest criterion 4002 states that the applicant is not to be assessed by the Australian
Security Intelligence Organisation, ASIO, to be directly or indirectly a risk to security within
the meaning of section 4 of the Australian Security Intelligence Organisation Act. In the
absence of public interest criterion 4002, the protection visa assessment process for persons
with an adverse security assessment is currently problematic, as each case requires individual
consideration as to whether the person does or does not pass the character test in section 501
of the Migration Act. This bill will amend section 36 of the Migration Act to insert a new specific criterion for a protection visa that the applicant is not assessed by ASIO to be directly or indirectly a risk to security within the meaning of section 4 of the ASIO Act. The new criterion in section 36 reflects the terms of public interest criterion 4002.

Additionally, the amendments introduced by the bill will put beyond doubt that the Migration Review Tribunal, the Refugee Review Tribunal and the Administrative Appeals Tribunal will not have the powers to review a decision to refuse to grant or to cancel a protection visa on the basis of an adverse security assessment by ASIO that the applicant for, or holder of, a protection visa is directly or indirectly a risk to security within the meaning of section 4 of the ASIO Act. The amendments will also reflect current paragraph 500(4)(c) of the Migration Act by confirming that the Refugee Review Tribunal does not have the power to review a decision to refuse to grant or to cancel a protection visa made on the basis of one or more of articles 1F, 32 or 33(2) of the refugee convention, or paragraphs 36(2C)(a) or 36(2C) (b) of the Migration Act. Paragraph 500(1)(c) provides that only the Administrative Appeals Tribunal has the jurisdiction to conduct a merits review of those decisions.

To meet community expectations, the government must have the ability to act decisively and effectively, wherever necessary, to protect the Australian community. The government must also have the legislative basis to refuse a protection visa, or to cancel a protection visa, for those noncitizens who are a security risk. We must prevent and deter any threats posed by those who are a risk to the security of our nation and must implement legislative amendments such as those proposed in this bill to ensure the security and safety of the Australian community. The best thing a government can do to support our agencies that work on the front line in immigration and border protection and who make these decisions is to equip them with the resources that they need and provide clarity through legislation so that they can do their jobs to the best of their ability, in Australia’s interests. In that regard, I welcome the support of the opposition for this bill.

I will now briefly address the points raised by Senator Macdonald in relation to the report of the Legal and Constitutional Affairs Legislation Committee into the Migration Amendment Bill 2013. In relation to recommendation 2, Senator Macdonald is correct. The minister has provided a response to the Senate Scrutiny of Bills Committee in relation to their queries on the Migration Amendment Bill 2013. The position of the government is as stated in that letter to Senator Polley. The minister stated as follows:

The adequacy of review mechanisms for adverse security assessments from the Australian Security Intelligence Organisation and whether it would be more appropriate for an independent review process to be placed on a statutory basis are issues that are not appropriate to address within the Migration Act 1958. Placing the independent review process on a statutory basis is beyond the policy intent of the bill, which is to address the number of recent court and tribunal decisions that significantly affect the operations of the Department of Immigration and Border Protection, including the processing of visa applications made by asylum seekers and other noncitizens.

In my summing-up speech, I have referred to those decisions, which this bill is seeking to address. The minister goes on to further say in his response to the Scrutiny of Bills Committee:

The Australian government respects the professional judgement of ASIO. At the same time, the government supports appropriate oversight arrangement of our intelligence and security agencies. The Inspector-General of Intelligence and Security, an independent statutory office holder, plays a primary
and comprehensive oversight role, complementing parliamentary committees such as the Parliamentary Joint Committee on Intelligence and Security. As the committee is aware, there is also the Independent Reviewer of Adverse Security Assessments, who examines all the materials relied on by ASIO, including classified material, and provides her opinion and any recommendation to the Director-General of Security.

In answer, ultimately, to Senator Macdonald's query on what is the government's position at this point in time in relation to this bill, the minister states:

The government does not consider it appropriate or necessary that the Independent Reviewer of Adverse Security Assessments be established on a statutory basis.

But, as I said, in any event, the minister is of the opinion that it is not appropriate to address that particular issue in this bill, because this bill itself seeks to remedy certain defects that have resulted from a number of High Court decisions that have been handed down and which I addressed in my summing up speech.

In relation to Senator Macdonald's comments on recommendation 1 of the committee report and in particular where it states 'the rare situations where the department or a tribunal fails to correctly notify the applicant': in that particular case I am advised that the time frame for seeking merits review does not begin to run if the notification is defective. But I would say to Senator Macdonald that I do acknowledge your comments that this bill is a way forward for the government in relation to ensuring that we have the appropriate tools to make decisions. These amendments themselves remove any doubt as to when the decision by the minister, delegate or tribunal is taken to be finally made and when an application is finally determined. That is the clear policy intent of this bill.

Finally, the Department of Immigration and Border Protection employs over 10,000 people. The people who work at the department have always demonstrated extraordinary passion and professionalism. There is no doubt that they have a deep care and a deep interest in the work that they do and that it is shared by many of the other agencies that serve our nation well, including, of course, ASIO, who have an extremely difficult job in making these decisions. But that is the job that we the government give them to do on our behalf in the national interest. Such commitment is an asset that has guided us through incredibly difficult times and will continue to do so in the future. In support of them and the work they do on our behalf we need to ensure that they have an immigration program and particularly a refugee and humanitarian program that has integrity and that maintains the support of the Australian community. I commend the bill to the Senate.

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

The Senate divided. [12:21]

(The President—Senator Hogg)

Ayes .................38
Noes ..................9
Majority..............29

AYES

Bilyk, CL
Boyce, SK
Cash, MC
Dastyari, S

Bishop, TM
Cameron, DN
Colbeck, R
Edwards, S

CHAMBER
AYES

Farrell, D
Furner, ML
Hogg, JJ
Lines, S
Lundy, KA
Marshall, GM
McEwen, A (teller)
O’Sullivan, B
Peris, N
Pratt, LC
Seselja, Z
Sinodinos, A
Stephens, U
Thorpe, LE
Urquhart, AE

Fawcett, DJ
Gallacher, AM
Kroger, H
Ludwig, JW
Macdonald, ID
Mason, B
Moore, CM
Parry, S
Polley, H
Ruston, A
Singh, LM
Smith, D
Sterle, G
Tillem, M
Williams, JR

NOES

Di Natale, R
Ludlam, S
Rhiannon, L
Waters, LJ
Wright, PL

Hanson-Young, SC
Milne, C
Siewert, R (teller)
Whish-Wilson, PS

Question agreed to.
Bill read a second time.

Third Reading

The PRESIDENT (12:23): As no amendments to the bill have been circulated, I shall call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (12:23): I move:

That this bill be now read a third time.

The PRESIDENT: The question is that the bill be now read a third time.

The Senate divided. [12:25]

(The President—Senator Hogg)

Ayes .................38
Noes .................9
Majority .............29

AYES

Bilyk, CL
Boyce, SK
Cash, MC
Dastyari, S
Farrell, D
Furner, ML

Bishop, TM
Cameron, DN
Colbeck, R
Edwards, S
Fawcett, DJ
Gallacher, AM
The Social Security Legislation Amendment (Increased Employment Participation) Bill 2014 is about helping young people find ongoing employment. It creates the Job Commitment Bonus for young Australians aged from 18 to 30 who have been receiving Newstart Allowance or Youth Allowance for a period of at least 12 months. The bill provides a tax-free payment of $2,500 if a recipient remains in work and off income support for a continuous period of at least 12 months. Recipients will also qualify for a further tax-free bonus payment of $4,000 if they remain in continuous gainful work for a further 12 months. That is 24 months of continuous work.

The bill also replaces the current Move 2 Work program with what will be known as the Relocation Assistance to Take Up a Job program. The program will provide financial assistance to long-term unemployed job seekers with participation requirements who have been receiving Newstart allowance, youth allowance or parenting payment for at least the preceding 12 months to relocate and obtain ongoing employment. The program will provide up to $6,000 to support eligible job seekers who will relocate to a regional area or up to $3,000 to support eligible job seekers who relocate to a metropolitan area either from a
regional area or, in certain circumstances, another metropolitan area. Families with dependent children will be provided with up to an extra $3,000.

The bill also allows for non-payment periods for participants who leave their employment without good reason within six months after receiving a relocation payment to be 26 weeks rather than 12 weeks, which currently applies to relocation payments made under Labor's Move 2 Work program. This more than doubles the non-payment period that applies under Labor's Move 2 Work program. Labor opposes the increase in the non-payment period and we will be moving amendments in the committee of the whole that will retain the current 12-week non-payment period. Labor is very concerned about the doubling of the non-payment period for those recipients of the relocation assistance where unforeseen circumstances may prevent the recipient working. Twenty six weeks does seem particularly harsh.

I know that there is the hardship provision for people adversely affected by this and I trust that this will be used. According to the explanatory memorandum, affected persons will still have the benefit of the usual operation of existing hardship waiver provisions so that the non-payment period would not prevent a person from accessing essentials, for example, basic levels of health care, housing or sanitation. In particular, the current subsection 42S(4) provides that a person's unemployment non-payment period may be ended on the grounds of severe financial hardship if the person is within a class of persons specified in a legislative instrument made under subsection 42S(5), the ending unemployment non-payment period instrument. This will continue to apply. We do not believe that the hardship provision will provide sufficient protection to prevent the likelihood of young people from sliding into poverty under circumstances that are out of their control. Labor does not accept that a young person can receive no income support payment for six months and continue to be job ready.

In government, Labor focused on supporting young people to finish school to get the training and higher education they need for jobs. In government, we considered a whole range of different policies to address the issue of youth unemployment. It is one of the most important issues any government will face. Governments cannot expect young people to gain well paid jobs without providing good education, training and support for young people. Governments cannot expect young people to easily find work with the current unemployment rate. This bill seems to be based on the premise that young Australians do not want to work rather than the reality that many face—that is, difficulty in obtaining employment.

We have sadly seen the increase of youth unemployment in this country after many years of a downward trend. In my home state of New South Wales, youth unemployment has jumped alarmingly in the year to February 2014. Recent ABS data shows that youth unemployment has risen by 73 per cent in Baulkham Hills and in the Hawkesbury to 11.6 per cent. In the capital region, including Goulburn, Yass and Queanbeyan it has reached 10.2 per cent. In far west New South Wales and Orana, it has hit 15.1 per cent while in Parramatta and Blacktown it has hit scandalous levels of 17.6 per cent and 16.6 per cent respectively. If present trends continue, in many parts of New South Wales youth unemployment will exceed 20 per cent. In many parts of the state it will be approaching 30 per cent and in parts of Western Sydney we will reach 30 per cent by 2016.

Many other parts of the country are facing a crisis in youth unemployment. Youth unemployment rates of this order are a road to long-term intergenerational poverty and welfare reliance, sapping the hope and aspirations of everyone affected.
I know, from discussions I have had in the western suburbs of Sydney, it is not just the youth who face this sapping position; it is the family who are desperate to help their young boy or girl get access to a job. So it is a family issue, not just an individual issue, for some young people. These young people are the lucky ones who have got families to support them. Many young people do not have families to give them that support. For a prosperous nation like ours, this is totally unacceptable. We need to intervene and that is what Labor did when were in government. See there is a role for government and that role is to help those that cannot help themselves, to help those that find themselves in trouble and to help those that find themselves needing some support to get a job. To simply diminish the size of government on a continuous basis is to deny the role that government plays in assisting young people, pensioners and others to access a decent life in this country. We do, as Labor, see the need for the government to intervene.

We were investing in vocational training, we were investing in trades training centres in schools and we were intervening with youth connection programs. In our last budget we gave a commitment to continue to invest in the urgent task of job creation and assisting disadvantaged job seekers into work. Unlike the current government, Labor's last budget maintained funding for employment services, disability employment services and the working age payments program. Labor introduced a system with the flexibility to match services to individual job seekers and prioritise resources for those with the greatest need. As a result, we achieved significantly better outcomes and for the most disadvantaged job seekers outcomes have improved by 90 per cent. Across employment services Labor helped over 1.6 million people to secure jobs. Our employment services system was recognised by the OECD as playing a central role in keeping unemployment low in the wake of the global financial crisis. Remember that global financial crisis that no-one on the other side of the house seems to remember, that no-one on the other side of the house actually thought happened? We were told it was a North American problem, that it was not a problem for Australia. The economic incompetence of the then opposition on this issue is astounding. Yet what happened during that period is that government intervened, government supported jobs, government supported communities and government did the right thing.

One of the most disturbing targets of the budget that we had last night is the attack on our young people. The new rules announced last night will deny income support to young people under 30 for six months of every year and then force them onto Work for the Dole. It will deny them Newstart allowance until 24. That is a loss of $48 a week. It will move more young people on disability support pension to Newstart or Youth Allowance, a cut of at least $166 per week. The budget will mean spiralling university fees for young people and demonstrates that the government has broken its promise not to increase fees or to cut funding to higher education.

In his budget of twisted priorities, Tony Abbott is telling young people, 'You're on your own.' Promises prior to an election mean nothing to the coalition. Promises from the coalition mean nothing to any group in this country. The message that you are on your own, the message that the Abbott government has sent young Australians looking for work with its savage cut of $1.2 billion to income support for people under 30, will create huge hardship for young people in this country. And young people under 24 will be shifted from Newstart onto the lower Youth Allowance, making them $48 a week worse off. As a result of the
government's twisted priorities, this budget will see an unemployed 24-year-old lose almost $2,500 a year. At the same time they are providing $50,000 to wealthy families under their unaffordable, stupid Paid Parental Leave scheme. That is $50,000 to the rich and wealthy and $2,500 cut from those that can least afford cuts. If the government doesn't address the training and education deficiencies that lie behind youth unemployment, we are failing our kids and the cost will be huge. We are missing out on $1.5 billion a year when young people fall through the cracks between school and further education or work, and this is why the government must commit to jobs and training and education first and foremost.

Prior to last year's election, Mr Abbott promised he would create one million jobs in five years. That is 200,000 jobs a year. By now, total employment should have increased by 100,000 full-time jobs. The government is way off target, and the current figures do not include the many job losses that have been forecast with the downturn in the manufacturing industry, jobs that have basically been told to go away by the federal government in the manufacturing industry, cuts to the Public Service and the negative effect on economic activity the government's austerity budget will have. The government cannot continue to do nothing—it needs a detailed plan for jobs. The government should explain to the Australian people how it plans to create the one million jobs that it promised. Where is the industry and innovation plan for Australian businesses; where is any plan at all?

Australians need a government that will fight for jobs and support job seekers. While we support this legislation and the principle of encouraging young people to find employment, Labor does not want to see these payments to job seekers replace wage subsidies or support for employers to employ young people. Nor do we want it be at the expense of investments in training and higher education, particularly for young people. This government needs to fight for jobs for workers, but it won't. It needs to do more. It needs to intervene where necessary and support jobs, training and higher education. The government must address the decrease in full-time jobs in this country and ensure that workers affected by recent job announcements are supported, as is the economy in those regions that are more affected by these announcements.

There is a further provision of this bill that is of concern, and that is the exclusion of protected special category visa holders from access to the job commitment bonus proposed in this bill. The bill redefines what it means to be an Australian resident in an unprecedented and highly specific manner. It excludes from the meaning of 'Australian resident' those New Zealand born residents of Australia who are protected special category visa holders. New Zealanders enjoy the right to live and work indefinitely in Australia—a right that was formalised under the 1973 Trans-Tasman Travel Agreement—and for a long time they were essentially treated as permanent residents. That changed when the Howard government amended the definition of 'Australian resident' in social security laws to exclude New Zealanders. New Zealanders who arrived before the changes are deemed to hold a protected special category visa while their countrymen who arrived after the changes hold a non-protected visa.

Debate interrupted.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): It being 12.45 pm, I call on matters of public interest.
SENATE

2571

CHAMBER

Budget
Northern Australia

Senator IAN MACDONALD (Queensland) (12:45): I want to use the 15 minutes allowed to me in this matter of public interest debate today to talk about the future. Having just heard the previous speaker, can I start by saying that the future will look bright for our country if we can get our finances and our budgets in order. Thanks to the government supported by the previous speaker, Australia was left in a position where we were approaching three quarters of a trillion dollars in debt. It was debt that did not help our productivity. It was debt that very often supported wasteful and ill thought through projects—and we are hearing all about those in the royal commission on the pink batts scheme at the present time.

The difficulties and the stringent measures in last night's budget are there thanks to the Labor Party, who took office just six short years ago with no net debt at all and $20 billion in the bank and who, in a six-year spending spree, managed not only to get rid of the $20 billion in credit but also to run up a debt that is heading towards three quarters of a trillion dollars. Whilst I do not want to dwell on the budget, I do want to talk about the future—and certainly the budget settings displayed and announced last night will help that future.

You may say I am a little parochial in my views on this as it refers to the area where I live, work and play, but I am one of those who sees the future of Australia in the north of our country. That view is there for many reasons. As I say, I live and work in that part of the world. It is a great part of the world, and it is a part of the world that shows promise for the future. It is a part of the world which can take Australia further forward to the heights that I know that Australia can achieve.

We have practically limitless supplies of water in the north of Australia. With the climate changing as it is and as it has done for literally millions of years, we are being told that the north of Australia may well become wetter as the south of Australia becomes drier. I note in passing one of the reasons suggested for the dryness in the south of our continent is the increasing ice cap in Antarctica. That always makes me smile when people talk about global warming—but that is an aside. There are real opportunities for industry and productivity that depend on water and there are a number of very exciting prospects for the better use of water in the north of Australia—and the productivity, wealth and the increase in the standard of living for Australians that that will provide.

Currently the Joint Select Committee on Northern Australia is looking very closely at the development of northern Australia and how that could be achieved and what should be done. I am a participating member of that committee. I do not want to in any way pre-empt anything the committee will resolve in its report later this year, but can I say that, having travelled around many parts of the north with the committee, it is heart-lifting to see the enthusiasm, the vision and the energy of people who have appeared before that parliamentary committee with their well thought through, well determined and well investigated ideas and enthusiasm for development of the north. As one who has spent most of my parliamentary career promoting the north, I find that even I—who have been doing this for many years—learned a lot from the submissions that were brought forward, and I see a very good recommendation from that committee coming forward to the government.
Senators will recall that, at the last election, the coalition made a commitment to the preparation of a white paper within 12 months of the election. The joint committee which I have spoken of is feeding into that white paper process, and I am pleased to see that, as promised, the Department of the Prime Minister and Cabinet is actually working on a white paper that will set out the way forward for the development of the north. It is not of course going to be a paper that says that within 12 months we are going to build all these roads, build all these dams, open up this new land for productive use, open up new trade routes and open up new universities. Clearly, it is not going to say that, but, hopefully, it will set out a 30- to 40-year program of how we can use Australia's assets and the enthusiasm of our people to build a stronger country by developing northern Australia.

We have had evidence from the sugar industry, for example. Senators will know that the Australian sugar industry generates something like $2 billion in revenue annually. It is a low-cost producer, and it is a major raw sugar exporter, with some $1.7 billion in annual export revenue. Some 80 per cent of the country's sugar is exported, and Australia is the third-largest raw sugar exporter after Brazil and Thailand.

The future for the sugar industry can be bright, with government encouragement. One of the issues confronting the sugar industry now is that there has been a lot of investment made in co-generation plants at various sugar mills, which puts energy into the electricity grid. That is why we have to be very careful in any alteration to the renewable energy targets in the months and years ahead. Certainly, a lot of these sugar mill companies have invested heavily on the basis of what the rules were.

At the present time, the Senate is also conducting an inquiry into the beef industry through a beef levies inquiry, and that is bringing up some very interesting facts and figures about that very significant industry in northern Australia. It is an industry that was almost brought to its knees by the Labor government's insensitive and frankly quite stupid decision to ban live cattle exports for a couple of years, but it does have a great future and work has to be done to give that industry every encouragement.

Tourism, obviously, is an industry that figures very prominently in the economies of northern Australia. We have great assets in the Kakadu park, the desert outback, the Great Barrier Reef and the wet tropics—all of those natural assets do bring tourists to our country, and we continue to look after them very well and I congratulate all those agencies who play their part in the protection of those wonderful natural assets. At the same time, we are able—because we are clever enough to do it, these days—to make sure we can have sustainable and sensible development, like the Abbot Point coal refinery, in waters close to the Barrier Reef; we can do that because we know how to do it, and we can do it carefully and in a way that enhances Australia's overall economy.

I want to mention briefly James Cook University and Charles Darwin University, two northern based universities that are doing a wonderful job in educating not only Australians but also people from nearby countries. They are concentrating on areas which are relevant to northern Australia and therefore relevant to the tropic zone around the world, which contains some 60 per cent of the world's population. JCU is doing a great deal of work in looking at that tropic zone and exporting that knowledge and science to other parts of the world.

We are looking at a defence white paper in the not too distant future, and I certainly hope that the defence white paper being brought down by this government will seriously look at the
absolute necessity of having our defence bases, our defence facilities, up in the area where they are more likely to be used. That is why I have been a long-term advocate for getting rid of some of the capital ships out of Garden Island in Sydney Harbour and moving them up to the north, where they will be there for border protection, there to defend Australia, and there to use when natural calamities require Australia to send in the troops, so to speak. With the 3rd Brigade at Lavarack Barracks in Townsville, Australia's largest Army barracks and the area that will contain the maritime force which will be using the new LHDs, I think that there is a real argument for additional capital ships to be based in Gladstone, Townsville, Mackay, Cairns—where Australia's second-largest east coast naval base currently is—or Darwin, or even Broome over in the west. So I hope that is being carefully thought about in the defence white paper.

As well, it is important that our Air Force is prominent in the north. For years, the Caribou squadrons were based at Garbutt Air Force Base in Townsville. As to the replacement, the C-27J Spartan, planning for its career started off in, I think, Richmond near Newcastle. Some think it should go into Amberley, but I cannot see why it should not be based where the Caribous were. The Spartans are replacing the Caribou, and therefore should be based in the north—again, closer to where they are ever likely to be used.

On another occasion when I have the opportunity I will expand upon a push for a sensible zone tax rearrangement and review in northern Australia. Back in the dying days of the Second World War, the then Labor government introduced a zone tax rebate to help develop the remoter parts of Australia, and at the time much of the north fitted the category. It was introduced by the Labor government, recognising the additional costs of living in those areas that are remote from the capital cities of the states and of our nation. That requirement is still there—the cost of living is greater. I have to say, in passing, that I do not know that the reintroduction of the fuel excise is going to help in this regard, but that fuel price increase, which will impact most heavily on people remote from the capital cities, is something that needs to be factored in to the need for a review of the zone tax rebate system and to make it more relevant now and to bring it back to the sort of policy front that it had at the time it was introduced back in the late 1940s.

So, with last night's budget setting the scene and the parameters for a prosperous Australia into the future, I certainly look to northern Australia being a part of that and doing its part in building a bigger and better society for all Australians.

Budget

Senator LINES (Western Australia) (13:00): I rise to speak today, in this matter of public interest debate, about the Abbott government's appalling budget. There is so much wrong with the budget that it is really hard to work out where to start. It is a budget that entrenches disadvantage and it is a budget that hurts all Australians, except wealthy Australians and corporate Australia. It is a budget for which those in the Abbott government should hang their heads in shame. It is a disgraceful, harsh and cruel budget.

This morning the Prime Minister was on TV, saying that it was a fair budget. If he thinks it is a fair budget, then it shows the Australian public just how out of touch he is. Millions of Australians, the community sector, education and health providers are reeling today and will continue to reel as more and more detail comes out about this harsh, cruel and unfair budget.
Is the Prime Minister of this country so out of touch that he thinks slicing a bit from everyone is fair? We do not live in a fair society. There are huge disparities between the rich and the poor in Australia. I am, quite frankly, disgusted that the Prime Minister of the country can say that his budget is fair, because that assumes that we live in some kind of fair society.

Last year ACOSS showed that people who are unemployed, children, especially those children who live in lone parent families, and people whose main source of income is social security payments are the groups most at risk of poverty. Those are the groups that the Prime Minister of this country has targeted. I watched Mr Hockey deliver the budget last night and at points the Prime Minister was grinning. How can you grin—he is the Grim Reaper—when you have imposed further poverty on groups in this country who are currently struggling?

Of those groups living below the poverty line, more than two million—that is based on 2013 figures—600,000 of those are children. The Prime Minister of this country, who says he has a fair budget, has simply put those people living below the poverty line—the more than two million, 600,000 of whom are children—further behind.

What a knockout blow the budget is to most Australians—permanent pain for low- and middle-class Australians and for young people in this country who have been thrown on the scrap heap—who rely on benefits, including pensioners and vulnerable Australians, such as homeless people, with whom I have a lot of contact in Western Australia. They are living on our streets and, in a place as rich as Western Australia, it is an absolutely shameful indictment that families are living up and down Perth beaches. Has the Prime Minister ever visited those families? No, he has not. Why do they live in their cars on our beaches? Because that is where showers and toilets are. When you ask them what they want, they say that they would like to have a hot shower. Their expectations have been slashed and burned so badly that that is their first immediate response: 'It would be nice, when we use the showers at the beach'—which are designed for beachgoers, not homeless families—'if they were hot.'

But, again, those people would never say the Prime Minister's budget is fair, because all the Prime Minister has done is further penalise groups like that. As they struggle to put a little bit of petrol in their car, because it is their home, they will be charged an additional cost to every other cost that they are currently trying to get by on. Again, what an uncaring government, a mean-spirited government, that applies a temporary debt tax on the wealthy and just lets corporate Australia off scot-free—with no new revenue-raising avenues—and that punishes every other Australian.

And what about Medicare? What lies we have been told about that! What an absolute imagination of the health minister, Mr Dutton. Earlier this year, on the 7.30 report, he said he wanted to have a debate with Australia about its health system. When did that happen? It certainly passed me by. I was not aware of this 'far-reaching debate', to quote the health minister. In February he said he had a new plan for a GP tax, based on those Australians who could afford to pay, so people in this chamber and other Australians who could afford to pay were the target. In his view, GP services were being overutilised. Of course, we know that this government does not bother about getting facts and information. It just makes them up, because there is no evidence that I am aware of that GP services are overused in this country. He went further, saying that middle-class Australians and those on higher incomes would pay for their medicines. He told us the GP tax was levied towards those who could afford it, making Medicare more sustainable, stopping us from going to the GP too many times, despite
having no proof. This far-reaching debate certainly missed all of us. I am not sure where it was taking place.

But what we now know is that those secret meetings were taking place behind closed doors in the cabinet room of the Abbott government. Even earlier this week, in an interview with *The Sydney Morning Herald*, Minister Dutton still told us that the GP tax was about curbing Medicare and stamping out unnecessary GP visits.

Now we know the truth of it. Now we know that sick and poor Australians will be paying for medical research. What an injustice that is. Minister Dutton will go down in history as a destroyer of Medicare. He will go down in history as a mean-spirited minister who imposed harsh taxes on poor people in this country, not only when they go to a GP but when they get a prescription filled. When they get a referral—and we mostly do when we go to doctors—they will be paying for that too. Australians will not forget that it was the Liberal Party who made life much harder for them.

There are the Medicare Locals. A couple of weeks ago I went to Fremantle. I am sure the Prime Minister has not been there either, and he certainly would not have visited the Street Doctor who plays a vital role in linking homeless people to services. What we know about homeless people is that they are unlikely to go to a GP. It is almost impossible for them to front to a GP. Sometimes they do not even have Medicare card, so they are not likely to front to a GP. They are also highly unlikely to front to accident and emergency, particularly in WA where it is going to be moved many miles away, so it will be impossible for them to get to. The Street Doctor in Fremantle is also visiting families who are living in their cars along Perth beaches. They have a clinic at South Beach in Fremantle. But what do we know? Medicare Locals are completely scrapped. I want to know from the health minister: who is going to be paying for the Street Doctor? Or are we saying to those who are homeless, ‘It’s time you stood up for yourselves. It’s time you look after yourselves. Go get a job. We know you’re living in a car, but off you go, after you’ve had your cold shower in the morning, and get yourself a job.’ The Fremantle Medicare Locals are also doing Close the Gap and a range of other services. Where are they going to go?

I heard Mr Hockey proudly announce—and I have heard this from other Abbott ministers—that we do not provide schools or hospitals, so we are forcing that cost, 100 per cent, back on states. That is a cowardly act. It is a cowardly act because it is just code for: ‘We really want the states to start to have a GST conversation.’ Like those people living at South Beach and Kwinana Beach in WA, it is time the states stood up for themselves as well, so they will be forced to find additional revenue. The only way they can do that is to look at raising the GST or, perhaps, have it apply further than it currently does. We all know what the GST does. It disadvantages the same group of Australians—the people who use all of their income buying food, paying rent and so on every week, and the people who are not able to make their income stretch and are currently reliant on the community sector for food banks and handouts when they cannot pay their electricity bill. But, no, there is complete disregard from a very unfair budget. We are going to force the states—by forcing them to pick up the full cost of health and education—to spread the GST revenue further and increase the tax. That is yet another body blow for low-paid Australians, those on pensions, young people and those who use their savings to just get by.
There is our youth. Fancy treating future leaders in our country with such contempt. It would be nice if I were 28 and could say, 'I'm still young at 30,' but to say to people, 'We're going to stop you getting unemployment benefits for six months and then we're going to force you to do 25 hours of work for the next six months, even if it's picking fruit two hours south of the city. And then, if you do not get a job in that time, it is all going to start again until the age of 30.' I have had a bit of a look through the budget papers. I know lots of 30-year-olds who have children and are buying their own homes who, through no fault of their own, end up being made redundant. What about those families? There is absolute silence from the Abbott government about them.

Almost every specialist youth program has been slashed. One of the other services I looked at in Midland was Youth Connections. It has been completely scrapped. Youth Connections deals with youth who are disadvantaged, have fallen out of school or have become unemployed. Guess what? It is an amazingly successful program. I bet none of the WA senators from the Liberal side have ever been to Midland, but if they care to visit Youth Connections they would see that Youth Connections are working with children as young as 11. I am sure that the Abbott government thinks that somehow Jobs Services Australia will deal with youth, but, when you are as young as 11 and you have dropped out of the school system, it is Youth Connections that successfully gets you back into school, and that is what has been cut. In Midland, Youth Connections goes into the shopping centres and has lots of conversations with disadvantaged youth in that area, and they have been incredibly successful. They are not the only Youth Connections service in the country that is successful. We heard evidence through the Senate Select Committee into the Abbott Government's Commission of Audit that they are successful wherever they go because they have been well funded and are well-resourced. Isn't that what we want: get children and youth back into school and back into employment? Apparently not. So youth in this country have just been thrown onto the scrapheap by the Abbott government.

In terms of the homeless, there is nothing for them. Yes, the Prime Minister extended Labor's program for another 12 months but ripped out millions of dollars that went to developing new housing. As I speak, Perth's Registry Week volunteers are taking a survey of homeless people in Perth City. Last year, just in Perth City, we needed 200 beds. We do not have any capital funding to build those beds. It will be very interesting at the end of this week to see what the need is in Perth City. But the uncaring, harsh and cruel Abbott government does not care. It does not care about any of those people. They are walking down a road littered with broken promises and Australians will not forget. Australians will see this government for what it is: harsh and cruel.

**Great Barrier Reef World Heritage Area**

Senator WATERS (Queensland) (13:15): In exactly one month's time from tomorrow, the World Heritage Committee will begin a 10-day meeting in Doha that will decide whether the Great Barrier Reef's world heritage status will remain intact. It has now been 11 months since the World Heritage Committee gave the Australian and Queensland governments a strong, unprecedented warning: 'Pick up your act or, in a year's time, the reef's World Heritage status will be downgraded to "in danger"'. That year's grace has almost past, and it follows an initial warning the year before that. Just last month, a draft decision was released ahead of that June
meeting, which was yet another warning—and perhaps it is the final warning that we will get after years of narrow escapes.

And yet, when we look back over those almost three years we see that the Australian and Queensland governments have failed, month after month, to act on the World Heritage Committee's recommendations to save the reef. In fact, they have blocked their ears to this international concern from the UN's leading experts on environmental and cultural heritage and instead have directly contravened the committee's recommendations. We have seen the Abbott government approve more destructive development in Gladstone Harbour by ticking off on the final liquefied natural gas plant on the world heritage listed Curtis Island, the Arrow LNG plant. The Abbott government has also approved what would be the world's largest coal port, at Abbot Point, near the Whitsundays, allowing three million cubic metres of dredge spoil to be dumped into the reef's world heritage waters.

The science shows the dredge sludge will not just stay put where it is dumped, but can spread many kilometres to smother corals and seagrass beds—breeding and feeding grounds for dugongs and turtles. The Abbott government's tick-off came despite the Great Barrier Reef Marine Park Authority's internal findings that dumping all of that sludge into the reef would create significant and irreparable damage. Those findings were only exposed publicly as a result of a freedom of information request. After they came to light, the Senate supported a Greens motion calling on Environment Minister Hunt to revoke his approval of the Abbot Point coal port. The documents released under FOI put the lie to the minister's claims that the damage of dumping millions of tonnes of sludge into this delicate World Heritage Area would be able to be offset, be compensated for, and in fact would somehow improve water quality by 150 per cent.

Whether the minister knew about the internal warnings by the Great Barrier Reef Marine Park's scientists is still a mystery because the government still has not revealed the documents that the Greens sought through an order for production of documents. If the minister did not see those internal scientific warnings, he should now reconsider that approval for Abbot Point and revoke it. If the minister did know about these documents but ignored the science saying the reef damage could not be offset, it shows he is unfit to be the environment minister.

Minister Hunt's claim that the damage of dumping three million cubic metres of dredge spoil can be offset is simply ludicrous. Over five years, with $200 million of funding and with the cooperation of two levels of government—Queensland and the Commonwealth—we have managed to avert one-twentieth of the sediment that Minister Hunt has now approved to be dumped offshore to make Abbot Point the world's largest coal port. That, of course, undermines the good work the farmers have done to avert that sediment—somehow the coalminers and the ports corp can be 20 times more efficient than two levels of government, over five years, with $200 million.

We know that dredging and dumping creates far more damage than could ever feasibly be offset because we have seen it all happen before at Gladstone Harbour. The shores of Gladstone Harbour were littered with fish kills and dolphin and dugong carcasses following the dredging and dumping program there. Last week a report into the Gladstone Harbour disaster, which Minister Hunt himself commissioned, found poor environmental management contributed to that. It found that compliance monitoring was inadequate, that records were not kept and that multiple complaints about breaches of environmental conditions—those
"stringent environmental conditions' that the government always champions—were not even followed up. The report recommended an increase in compliance monitoring. Despite this, the Abbott government's budget cuts compliance and enforcement staff numbers at the environment department and cuts funding for the Great Barrier Reef Marine Park Authority. These cuts are leaving the door wide open for the disaster at Gladstone to be repeated throughout the reef.

The environmental destruction at Gladstone was so severe that it was what first prompted the World Heritage Committee to visit the reef and develop those recommendations to stop the disaster at Gladstone being repeated elsewhere on the reef. Those recommendations included a pause on new development while a long-term plan for the reef was completed—sadly, pause was not pressed. The recommendations also included that there be no new ports in pristine areas and no port expansions that would damage the overall universal value of the reef. And yet, the Newman and Abbott governments have continued to approve mega industrial ports along the reef, including what will become the world's largest coal port at Abbot Point.

This blatant disregard for the World Heritage Committee's recommendations led the committee to release a draft decision just last month confirming that the reef's World Heritage status is still in jeopardy at the upcoming meeting in just over a month. A World Heritage 'in danger' listing for the Great Barrier Reef would devastate the $5 billion a year tourism industry, which employs 63,000 people, and go down in history as an environmental tragedy. How would we be able to explain to our grandchildren that in 2014, with full knowledge, the Australian and Queensland governments let our precious reef end up on the World Heritage list of sites in danger? An 'in danger' listing would show the world that our governments are putting the interests of the big mining companies ahead of their stewardship of this international icon, putting its future in doubt. I cannot bear to think of my daughter and future grandchildren not being able to visit and appreciate this incredible natural wonder, as I did as a child. I saw that raw beauty and that colourful complexity and felt that awe which I would like everyone to be able to experience.

For Mother's Day this year, my now five-year-old gave me a lump of plasticine, which she said was a coral bommie to help me save the reef. My darling girl, I will keep trying. Like so many Australians, I am committed to protecting that icon and to being able to sit with my future grandchildren, talk of the old days when the world was dominated by coal and gas interests and tell them the great story of what we did as a community to win—what we did to fight for and win what we hold precious—and how we did in fact save the reef. A similar story has been told in the past, most compellingly by Judith Wright, who famously led a strong community campaign in the seventies to save the reef from limestone mining and oil drilling. In her book *The Coral Battleground*, Judith Wright wrote:

> As the battle for the Reef progressed, all of us who were fighting to keep those crystal waters from sacrilege became welded in a very deep companionship, and that in itself helped to keep us at work. Today, I can feel that same community spirit in our generation's fight to save the reef from the disregard and the destruction of the big mining companies.

Across the country, thousands of Australians rallied together at community events against the Abbott government's abhorrent approval of the world's largest coal port, in this World Heritage Area, at Abbot Point. Hundreds of thousands of dollars have been donated to fund
community court cases against the Abbot Point approval. Newspapers have been flooded with
countless letters to the editor expressing disgust over the Abbott government's treatment of
our precious reef. Countless Australians have shown their support for the reef through social
media and by signing petitions. The fishing industry, tourism operators, community groups
and environmentalists have formed strong alliances with the shared goal of protecting our
precious reef and the 63,000 jobs it provides. We even have ice-cream on our side, with Ben &
Jerry's getting behind the cause—

Senator Boswell: I'll mention Ben & Jerry's in a minute. You ought to be ashamed.

Senator WATERS: and giving out free ice-creams to raise awareness of the big mining
companies' threat to the reef, much to the annoyance of the Queensland government—and to
Senator Boswell's annoyance as well, I note.

There is a strong, vibrant, passionate and growing community movement that is standing
up for the reef, and the Greens are proud to be standing alongside it—while, sadly, the old
parties are in bed with the big mining companies. Together we are a force to be reckoned
with. Millions of Australians love the Great Barrier Reef, and together we can protect it from
becoming a dumping ground for dredge spoil and a shipping superhighway for the big mining
companies to burn the fossil fuels that are cooking this planet and the reef itself.

What is more, in a sign of the madness of the Abbott and Newman governments' coal-at-
all-costs approach, the international market is actually helping the cause. The coal price keeps
on dropping as more and more countries embrace renewable technology to power their lives
sustainably. And this means that the megacoalmines of the Galilee Basin are not only
environmentally disastrous but economically risky as well. BHP, Rio Tinto, Anglo American
coal and Lend Lease have all pulled out of the Abbot Point coal terminal following low global
coal demand, scientific concern and community pressure. Glencore Xstrata scrapped its plans
for a coal port at Balaclava Island, in the southern reef, and Mitchell Group, just last week,
dropped their plans for the pristine Fitzroy delta. Those big names are pulling out, and it is a
clear sign that the world does not want our climate-destroying coal.

And yet even this has not stopped the Abbott and Newman governments ticking off on
megacoalmines in the Galilee Basin. These mines would be a climate disaster. They would
see more than 100 million tonnes of coal exported through the Great Barrier Reef every year,
dramatically increasing Australia's contribution to global climate change, which of course
would worsen the plight of the reef further still. In fact, if the Galilee Basin were a country
and all of its coal were burnt, it would be the seventh largest emitter of carbon dioxide in the
world.

There is really so much at stake in our fight to save the reef. It extends to the health of our
climate globally and to Queensland's land and water, under threat from those Galilee
megacoalmines, and of course the 30,000 to 40,000 coal seam gas wells planned for some of
our best food-producing land. Our campaign also represents the growing frustration that so
many Australians feel—and it was sadly proven again last night—that the interests of big
business and the mining companies are continually being put first by governments that are
supposed to represent citizens, not their corporate donors. Our fight to save the Great Barrier
Reef is a rallying point for everyone with a shared understanding that the profits of foreign
owned coal and gas companies are a poor trade for the irreparable destruction of something so
precious and unique that it is integral to our national identity and is one of the seven natural wonders of the world, no less. In Judith Wright's words:
The Reef's fate is a microcosm of the new battle within ourselves. So this is not just a story of one campaign. The human attitudes, the social and industrial forces, and the people who in one way or other take their part in the campaign, represent a much wider field, and one in which the future of the human race may finally be decided.

Primary Industry

Senator BOSWELL (Queensland) (13:27): Apart from my farewell next month, this is the last substantial speech I shall make in the Senate. I have thought long and hard about what I should say. What I want to do is leave all Australian primary producers with a warning: take action now to maintain producer control over the production and marketing of your product.

I have been in the Senate for 31 years. In all that time, I have defended and promoted primary producers. They are wonderful people, feeding and clothing our nation and many more people overseas, generating vital wealth for the benefit of all Australians. However, they are under threat. The threat comes in the form of long-term strategy by a powerful and sophisticated combination of environmental zealots and major corporations that would effectively control primary production practices worldwide.

One example that is causing debate right now amongst Australian primary producers is the Global Roundtable for Sustainable Beef, an organisation created by the World Wildlife Fund, or WWF. WWF internationally has a strategy it calls market transformation. A couple of years ago, WWF's Senior Vice President of Market Transformation, Jason Clay, explained what WWF does:

... we convene roundtables—meetings of all the members of a commodity's value chain—everyone from producers, traders and manufacturers to brands and retailers, as well as scientists and non-governmental organizations ... Together we agree on the key impacts of producing a commodity—deforestation, water use, and so on—then design standards to minimize these impacts, which are ultimately certified by an independent third party. The participants publicly commit to producing, buying and selling within these standards, to be part of the commodity roundtable, forming a chain of sustainability.

WWF's priority commodities in its Market Transformation Initiative include beef, cotton, dairy, farmed salmon, farmed prawns, palm oil, sugar cane, timber, tropical prawns and tuna.

Australia has already seen what Jason Clay describes as third-party certification imposed on some fishing and forestry operations. Australian fisheries are some of the best managed and most sustainable in the world, but WWF wants them all signed up to expensive third-party certification schemes through its Marine Stewardship Council, or MSC. Then there is the World Wildlife Fund's Forest Stewardship Council, designed to force forestry companies into third-party certification. Again, this requires expensive assessment and auditing, again paid for by producers.

Now we have the Global Roundtable for Sustainable Beef wooing Australian cattle producers or, more accurately, wooing cattle producer representative bodies. Recently, the Global Roundtable for Sustainable Beef published its draft principles and criteria. Heed my warning: once any organisation signs up to these principles and criteria, it will be locked in. Producer bodies involved in the beef roundtable process should think long and hard before doing so. I recommend that primary producers looking at the draft principles and criteria...
The document for the beef roundtable take a look at another of WWF’s roundtables, the Roundtable on Sustainable Palm Oil. The palm oil roundtable has principles and criteria, first established in 2007 and then revised in 2013, that will sound very familiar to people who have examined the beef roundtable document. However, what the Roundtable on Sustainable Palm Oil also has is two certification schemes. Both systems involve third-party certification bodies. Producers pay the bills.

I have been told time and time again there will never be any certification scheme under the Global Roundtable for Sustainable Beef. Sustainability will be ‘verified’ somehow but not ‘certified’. I ask sensible cattle producers a simple question: if proof of sustainability requires expensive third-party auditing and certificates in the WWF schemes for the forestry industry, the fishing industry, the aquaculture industry and the palm oil industry, why would it be any different for the cattle industry?

There is a coordinated campaign by WWF and other NGOs to coerce industries into certification schemes. They use the good cop, bad cop technique, where someone like Greenpeace is the bad cop and WWF is the good cop. That behaviour has been well documented. Does it work? Yes. JBS, the world’s largest meat processor with around $40 billion a year in sales worldwide, was savagely attacked by Greenpeace over the source of some of its cattle in Brazil. Have a look at the Greenpeace report called *Slaughtering the Amazon*, from 2009. After another attack in mid-2012 claiming JBS was buying cattle from deforested regions in the Amazon—a claim the company denied—JBS said it would take Greenpeace to court for defamation. However, urged on by Greenpeace, the UK grocery chain Tesco cancelled its meat contract with JBS, and five other European JBS supermarket customers threatened to do the same. IKEA, the furniture chain, threatened to cancel its contract for leather. JBS dropped its legal action against Greenpeace, deciding it was easier to side with these environmental activists than to sue them, and is now also working with WWF on its global roundtable for beef.

This is a common story. For example, in 2008, Greenpeace protesters dressed in orangutan suits stormed Unilever’s headquarters in London and factories in Rome and Rotterdam, protesting about the sources of palm oil. They climbed buildings, occupied production lines and unfurled banners. These are all familiar Greenpeace tactics. Unilever quickly promised to use only verifiable sustainable palm oil and became one of the companies involved in the Roundtable on Sustainable Palm Oil. And so it goes on.

I regard WWF and other environmental activists teaming up with major corporations to impose conditions on producers as the privatisation of primary production. This is a dangerous development. Management of primary production is being taken away from producers and from elected governments by environmental non-government organisations. They are doing so via environmental conditions enforced by corporations.

This was encouraged during the six years of the previous, Labor government. That government was in effect a Labor-Greens alliance, and Labor surrendered to the environmental lobbyists time and time again. Labor refused to speak up in defence of the sustainability of Australian primary production. But they went further than that; they promoted the idea of primary producers signing up to expensive WWF schemes like the Marine Stewardship Council and they backed Greenpeace. In reply to a question I asked Senator Ludwig, the then Minister for Agriculture, Fisheries and Forestry, in March last year,
he promoted the idea of fisheries joining the WWF's Marine Stewardship Council and he praised companies that teamed up with Greenpeace to put more controls on the timber industry.

It is time the Australian government reasserted its legitimate role in the management of primary production—and this goes further than just primary industry, important though that sector is to the Australian economy, with $50 billion in earnings every year; control of other resources is also at stake. For example, environmental activists are trying to control mining. It is well known that a number of activist groups are completely opposed to mining, particularly coal mining—as we heard from the Greens senator who spoke before me.

In 2012-13, minerals, oil and gas contributed $75 billion to the economy of Queensland alone—some 26 per cent of the state's gross domestic product—of which coal contributed more than half. These resources were responsible for more than 430,000 jobs in Queensland—in fact, almost one in five jobs in the state. Mining is a very important industry to Queensland. WWF has launched a campaign directly opposing the development of port facilities that will allow coal and other minerals to be exported efficiently. Its current Fight for the Reef campaign is the usual WWF antidevelopment, antijobs campaign, with wildly exaggerated claims about the dangers to the Great Barrier Reef. This is another example of WWF enlisting the involvement of corporate organisations. Unilever, which is the world's largest ice-cream manufacturer, with a turnover of $7 billion a year worldwide, has run a campaign through its Ben & Jerry's ice-cream brand that directly supports the WWF Barrier Reef campaign.

If this campaign were successful, it would severely restrict the ability of the Queensland and Australian governments to generate vital earnings from coal and other minerals. But WWF and other environmental activists are increasingly trying to dictate what can and cannot be caught, harvested, grown or mined in Australia. WWF is hardly subtle or secretive about its strategy. It is spelt out on WWF's own website where it says that, rather than trying to educate seven billion consumers or improve the practices of 1.5 billion producers, the most efficient way to effect change is to work with the world's largest companies. Internationally, WWF has identified about 100 businesses that together buy and sell 25 per cent of the commodities with the greatest impact on WWF's priority products. They estimate this demand can shift 40 to 50 per cent of global production, and so those are the companies they are targeting.

But, as WWF says, these are not the producers but the middlemen. They are the companies that take the product from the producer to the consumer, like McDonald's and Unilever. Beyond these, it also targets banks and other financiers of major projects. WWF says it targets these businesses 'to change the way global commodities are produced, processed, consumed and financed worldwide.' If any individual representative group of any commodity—be it beef, fishing, forestry or even mining—thinks it can handle WWF alone, then think again. WWF is an organisation with a turnover in the hundreds of millions of dollars and 5,000 staff spread across offices in 60 countries. It is a huge multinational business with enormous resources. What is more, it is handling the likes of roundtables and stewardship councils on a daily basis. What it learns from dealing with one commodity, it can apply to the next. And what it learns in one country it then adapts, refines, improves and applies in other countries.
By contrast, producers are often developing responses on the run, responding as best they can to a sophisticated, well rehearsed strategy from WWF.

I want to emphasise this point: primary producers are terrific at what they do. Our fishermen, our timber companies and our cattle producers are among the best in the world at catching fish, harvesting timber and producing cattle. But let us not pretend that, individually, any of these groups can handle an organisation as powerful and as sophisticated as WWF. It has countless lobbyists; they patrol the halls of this parliament. It has lawyers and other staff around the world focussed the entire time on developing schemes to manage primary production, mining and other activities.

I call on everyone involved in productive toil in our primary industries to address this issue. Work together, and with the Australian government, to retain the influence you should have, and deserve to have, over the way your industries operate. Producers have a fundamental knowledge of how their operations should be conducted. Government has the scientists, the economists, the biologists and the resource managers to assist producers. Together they can guarantee sensible, rational, sustainable management of this nation's natural resources.

Turkey: Mining Tragedy

Senator TILLEM (Victoria) (13:42): I rise today to speak at a time of great sadness. The Australian Turkish community woke this morning to the news of the death of more than 150 coalmine workers in a tragic explosion. Our prayers and our thoughts are with their family and friends as they wait for further news of the rescue operation. It has been reported that a total of 787 mine workers were underground at the time of the explosion in Soma, where mining is the primary industry.

Australia is home to many families from the province of Manisa where this disaster took place. Words are inadequate to express the sorrow we feel during this time of tragedy. On behalf of the Australian community, I offer my deepest condolences to the families that have lost loved ones and pray for those who are still waiting for news of those who are missing. I would also like to express my appreciation for the rescue teams and volunteers who are working in difficult circumstances on the rescue operation. It is in difficult times that communities come together, and I hope that our prayers can help those who are going through the pain of losing loved ones.

Budget

Senator PERIS (Northern Territory) (13:43): I rise to discuss a matter of public interest for all the people of the Northern Territory. Last night's budget will not only hurt all Australians but it is particularly savage to the Northern Territory. The budget breaks so many promises that were made to Territorians only eight months ago. I will start with a brief snapshot of just some of the promises that have been broken since the Abbott government was elected. I will then drill down into just how much some of the broken promises will hurt.

Before the election, Tony Abbott and Natasha Griggs, the member for Solomon, promised to cut the cost of living. Since the election, the cost of living has increased in the Northern Territory—at the fastest rate in the country. This budget hikes it up even more, with a GP tax and a fuel tax. Before the election, they promised to start construction of the new Palmerston hospital with a year. It has now been put off until after the next election, three years away.
Before the election, they promised to accelerate construction of Tiger Brennan Drive, which was committed to by Labor in the budget last year. This budget breaks that promise. Before the election, Natasha Griggs promised to save the RAAF houses in Darwin. After the election, she announced that she won’t be saving the RAAF houses. Before the election, they promised no cuts to health and education. After the election, they are ripping $80 billion out of health and education. Before the election, Tony Abbott promised to be the prime minister for Aboriginal Australians. After the election, he is slashing Indigenous affairs by half a billion dollars. Before the election, Tony Abbott promised to be the prime minister for infrastructure and developing Northern Australia. All this budget does is re-announce a series of road projects that were in last year's budget. There is nothing new for developing Northern Australia.

That is a pretty comprehensive list of promises broken—just in the first budget. A broken promise to cut the cost of living is particularly painful for Territorians: Territorians have seen this all before. In 2012, the CLP ran TV ads during the Northern Territory election, promising to cut the cost of living. They then put the power prices up. Then, in 2013, Natasha Griggs ran TV ads saying that she would cost cut the cost of living—and then straightaway, she and her government have put the price of petrol up.

In the Northern Territory, petrol prices are already high; on average 22c a litre more than in the rest of Australia. People down south complain of petrol prices being around $1.50 a litre. In many places in the Northern Territory, we pay over two dollars a litre. Territorians are very reliant on the car, and we travel such huge distances. There is limited public transport in the cities, and almost none outside them. Fuelling up in the Territory already hurts so many family budgets: with petrol tax increasing twice a year, many families will be pushed over the edge. And of course, we are so reliant on freight in the Territory—increasing the cost of petrol will increase the cost of everything. How on earth can putting up the price of petrol possibly cut the cost of living? Whenever Territorians fill up at the bowser, they will be reminded of the promise by Natasha Griggs to cut the cost of living. While the government says the money from this new tax will go to roads, there is no guarantee that a single cent will come to any new Territory projects. All we have heard so far is re-announcements.

The GP tax is another hit on the cost of living. In the Territory, we already have less bulk-billing than the rest of Australia, so our healthcare costs are already higher than everywhere else. The GP tax will make it worse. Seven dollars on every visit, plus—with prescriptions going up—more if you need medicine. Every Territorian needs access to a car and access to a doctor—so the costs are going up for everyone. There are many more attacks in this budget on the hip pockets of Territory families. The schoolkids bonus is gone. The changes to family tax benefits mean that a Territory family could be up to $5,000 worse off a year. And what about raising the age of the pension to 70? This will hurt our senior Territorians. And too bad if you are an Indigenous man in the Territory—your life expectancy is 61. And how can we possibly force a bricklayer to keep working outside, through the heat and humidity of the wet season, until they are 70? It is just disgraceful. These are hits that many Territorians simply cannot afford. The simple fact is that in the television ads where Natasha Griggs said she would cut the cost of living, she was not telling Territorians the truth.

The quality of the healthcare you receive should not depend on your income. When a child is sick, you should be able to think about nothing more than the welfare of your child. But
families are now going to have to think about the cost. That is terrible. The GP tax is going to put more pressure on our hospitals, which are already bursting at the seams. People who cannot afford the new tax will have no choice but to go to hospital. Before the election, it was promised that construction of the Palmerston hospital would start within a year. This budget breaks that promise. As I said before, construction won't even start until after the next federal election. The Commonwealth promised $110 million for the hospital, but there is only $40 million committed in this budget. There is not even an expected completion date. The Palmerston hospital is clearly years and years away.

Natasha Griggs promised that the duplication of Tiger Brennan Drive would be accelerated. The budget formally breaks that promise; it has not been accelerated at all. In his speech last night, Joe Hockey outlined road projects in every state—but none in the Northern Territory.

Education outcomes in the territory are lower than in the rest of Australia, and health outcomes are lower than in the rest of Australia—so the $80 billion worth of cuts to education and health will hurt the Territory more than anywhere else. Territorians were promised that there would be no cuts to health and education. Passing on the responsibility for hospitals and schools to the Northern Territory government will terrify Territorians. Cost shifting health and education problems to the states and territories is particularly harsh on the Northern Territory: our needs are bigger, and our revenue base is smaller.

It was a double whammy yesterday when the CLP government in the Territory also handed down their budget. They also made cuts to both health and education. Yesterday was a very dark day for children of the Northern Territory. Yesterday was a very dark day for the health of Territorians.

As the jurisdiction with the highest proportion of Aboriginal people, we in the Northern Territory will be hurt more than anywhere else by the cuts to Indigenous affairs. Tony Abbott promised to be the prime minister for Aboriginal people—well, he was not telling us the truth. You cannot—I repeat, you cannot—cut half a billion dollars from Indigenous affairs without cutting vital frontline services. Every aspect is being hit—education, health, legal services, art programs, Indigenous radio stations, employment programs, and more. Following investments by the previous Labor Commonwealth and Northern Territory governments, the Northern Territory is the only jurisdiction currently meeting the Closing the Gap targets. I fear that that will be compromised. It is an awful thought, but I fear that this budget will mean that Aboriginal people's life expectancies will not improve. It is shocking, and I hope I am wrong.

So far, the self-professed Prime Minister for Indigenous Affairs has given the green light to racism and bigotry, and the red light to Indigenous programs. And what about the cuts to local government? They will hurt the Territory, particularly in the bush, where regional councils already have limited capacity to raise their own revenue, and already face such unmet needs. 2013 was the most violent year in the history of the Northern Territory, and the majority of the victims were women. Domestic violence increased in the Northern Territory by 22 per cent last year. An Aboriginal woman is 80 times—I repeat, 80 times—more likely to be admitted to hospital, as a result of assault, than any other Territorian. This government has blatantly ignored this shocking statistic. Cutting legal services for family violence prevention is a national disgrace. This government is tolerating the unbelievable and unacceptable violence that women in the Territory suffer.
The cuts to tertiary education will hurt the Territory. One of the best achievements of the previous Labor government was the establishment of the medical school at Charles Darwin University. We face a huge doctor shortage in the Territory, and developing our own home-grown doctors is the best way to address it. This facility should be expanded, not cut. But that is what this government has announced, a cut of $100,000 a year for the next four years. This budget breaks so many promises. It is a budget of deceit. It hurts so many families. This budget breaches the trust of the people of the Northern Territory.

**Budget**

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (13:52): Last night, with the handing down of the Abbott government's first budget, Australia well and truly turned. The budget last night ensured that instead of heading down a pathway of further debt and deficit this country is now heading down the pathway to prosperity. Under the former government, we had cumulative debt to the extent that Australians now owe, on their credit cards—because the government's money is taken from each and every Australian—$667 billion. That is what our debt is projected to reach.

Why is that so tragic? It is because in 2007—but six years ago—when the Howard government lost office, we had reduced Australia's debt to zero. After 12 years in government, delivering surplus after surplus after surplus, we were not paying interest on debt. That is a fantastic achievement for the Australian people. We delivered a $22 billion surplus to the Australian people. We did not just talk about a surplus—like those on the other side did, in excess of 500 times, and on each occasion they failed to deliver to the Australian people. Through making tough decisions, through making the right decisions, the Howard government paid off the $96 billion in debt that had been created by the former government. And we can do it again. History always repeats itself when the coalition is re-elected to government.

We know as a government we have not been elected by the Australian people to make the easy decisions. We have been elected on a basis of fiscal responsibility. We have had the trust of the Australian people put into us to rebuild this country. It is not acceptable for the people of Australia to have the government borrow—on their credit cards—$1 billion every month. That is what we are currently borrowing as a government, because of the fiscal irresponsibility of the former government. It is $1 billion every single month that we are putting on the Australian people's credit card. That is an absolute disgrace, and there is no easy way out of that situation. We know that. We acknowledge that as a government.

Senator Wong was the minister responsible for lighting the match that started the fire that quite literally burnt down Australia's economy. We have been sent in to clean up that fire, to put water over it and to get rid of it. This government said, last night: 'We did not create the debt and the deficit. We did not create that. However, we as the adult government, as the government that the people of Australia put their faith in—overwhelmingly—at the 2013 election, will take responsibility and get this country back on track.'

It is unacceptable to leave to children not even born yet a legacy of debt and deficit. That may well be the legacy that those on the other side are prepared to leave to generations of Australians, but it is not the legacy that those on this side are going to leave future generations. We, each and every one of us as Australians, are playing our part to contribute to
the nation building of this country. Our budget is about each and every one of us participating, in our way, to build the future of this great country. As our Treasurer said last night, 'Australians are not leaners; we are lifters.' And we are very tired of being taken down that very dark path of deficit after deficit after deficit of higher debt after higher debt after higher debt—of $1 billion every month—that those opposite were quite prepared to put on the Australian taxpayer's credit card, with no regard at all for the fact that it is not their money. The money belongs to the Australian taxpayer and their money should be spent responsibly.

This government was elected on the basis of four premises. The first was to stop the boats. We are delivering on that promise. The second was to remove the carbon tax, a $550 impost on the Australian people. We have brought that legislation in. It is those on the other side who will ask questions today about the financial impact on the average Australian. They know that this afternoon we could stand here and put through this place the repeal of the carbon tax legislation. But Labor does not want to do that.

The PRESIDENT: Order! It being 2 pm, the time for consideration of matters of public interest has expired.

QUESTIONS WITHOUT NOTICE

Budget

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:03): My question is to the Assistant Minister for Health, Senator Nash. I refer to Prime Minister Abbott's pre-election promise:

We are about getting rid of taxes, not imposing new taxes.

Can the minister confirm that the new $7 GP tax and $5 prescription fee that families will pay are broken promises? Why is this Prime Minister forcing families to pay for his broken promise by making it harder to take children to the doctor and buy the medicine they need?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:03): The purpose of this budget is to build a strong, prosperous Australia and a safe, secure future. MBS expenditure has been growing at an unsustainable rate. Ten years ago it was $10 billion. Today it is $19 billion. It is projected, over the next decade, to reach $38 billion. Any sensible and responsible government knows that we have to place that expenditure on a sustainable footing, that we have to ensure that Australia can afford a strong Medicare into the future. We are asking patients to make a small contribution to the cost of their care to their GP while still protecting those that are most vulnerable. We are keeping faith with our commitment to the Australian people. The fundamental action is being able to get the economy back on track. We made a promise to the Australian people that we would fix the economy, that we would ensure we had a safe and secure future for this nation, and that is what we will be doing.

Senator Cameron: Why did you lie?

The PRESIDENT: Order!

Senator Cameron: She is lying to the Australian people.

The PRESIDENT: Order! You will need to withdraw that, Senator Cameron.

Senator Cameron: I thought there was some defence in the truth.

The PRESIDENT: No. Order! You just need to withdraw.
Senator Cameron: I withdraw.

Senator Wong (South Australia—Leader of the Opposition in the Senate) (14:06): Mr President, I ask a supplementary question. I refer to the Prime Minister's pre-election promise to the Australian people: no cuts to health. Can the minister confirm that ripping tens of billions of dollars from our public hospitals over the next decade, including $3 billion in the next four years, is a broken promise? Why is this Prime Minister making Australians pay for his broken promise with longer waiting times, fewer beds, fewer doctors and fewer nurses?

Senator Nash (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:06): Unlike the previous government, this government is going to deliver a responsible budget. Indeed, in relation to the previous question, I note that the Shadow Assistant Treasurer has supported the co-payment.

In relation to hospitals, the Commonwealth funding for hospitals will still grow significantly—from $14 billion in 2013-14 to $18.9 billion in 2017-18 under the coalition government.

Senator Moore: Mr President, my point of order is about relevance. Again, the specific question is about the broken promise and cuts to health. The minister has not referred to that question in her answer. I would ask you to draw that to the minister's attention.

The President: The minister still has 18 seconds remaining. The minister has addressed the question in part at this stage. I am listening to the rest of the minister's answer. There is no point of order at this stage.

Senator Nash: The most solemn promise that we made it to the Australian people at the last election was to fix the budget and strengthen the economy. Unlike the previous Labor government, this government knows that we need a sustainable health system—

Opposition senators interjecting—

The President: Order! On my left!

Senator Wong (South Australia—Leader of the Opposition in the Senate) (14:06): Mr President, I ask a further supplementary question. I refer the minister again to the Prime Minister's pre-election promise of no cuts to health. Can the minister explain: was that a solemn promise or not a solemn promise? Can the minister confirm that the Prime Minister is in fact breaking that promise by dismantling Medicare and the support it provides to millions of Australians?

Senator Nash (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:09): At the last election the Australian people elected the coalition government to fix the budget—to fix the economic mess that the previous Labor government had left. Unlike the previous Labor government, this government realises that the Australian people expect us to deliver them a future that is sustainable.

Senator Moore: Mr President, again my point of order is on relevance. The minister has gone nowhere close to the direct question and I would ask you to draw her attention to what the question was.

The President: I do draw the minister's attention to the question. The minister has 33 seconds remaining.
Senator NASH: The greatest question facing the Australian people at the moment is the fact that this government is the answer when it comes to delivering a sustainable health system.

Senator Moore: Mr President, my point of order is again on relevance. The greatest question before the minister is the one we have asked. If we could draw the attention of the minister to that question.

The President: At the 33-second mark I did draw the minister's attention to the question. The minister still has 21 seconds. The minister needs to address the question.

Senator NASH: When it comes to the health system in this nation it is the coalition government that is going to deliver a sustainable health system into the future. The Australian people elected us at the last election to do that, knowing that it was only this government that was going to do that. (Time expired)

Budget

Senator RUSTON (South Australia) (14:11): My question is to the Assistant Minister for Health, Senator Nash. Can the minister update the Senate on the historic proposal of a world-leading new medical research fund announced in the federal budget last night?

Opposition senators interjecting—

Government senators interjecting—

The President: Order! The senator is entitled to be heard in silence and I need to hear the question. Senator Ruston, would you repeat the last part of the question.

Senator RUSTON: I was just asking the minister if she could update the Senate on the historic announcement last night in the budget of a world-leading new medical research fund.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:12): I thank the senator for her question and her very sincere interest, particularly in the area of regional health. The Australian government is establishing a $20 billion future fund for medical research. The Medical Research Future Fund will be the single largest investment in medical research ever made in Australia and one of the biggest medical endowment funds in the world. The fund will be established on 1 January 2015. The capital-protected Medical Research Future Fund will reinvest all the savings in a fiscally responsible—

Honourable senators interjecting—

The President: Senator Nash, resume your seat. Order, on both sides! The interjections across the chamber do not assist hearing the minister give the answer. It is disorderly.

Senator NASH: The capital-protected Medical Research Future Fund will reinvest all of the savings from the fiscally responsible changes to the health budget until the fund reaches $20 billion, which is expected by 2020. The fund will be managed by the Future Fund Board of Guardians, which have a proven track record in managing an investment portfolio on behalf of the government and maximising returns over the long term. The Medical Research Future Fund—

Honourable senators interjecting—
The PRESIDENT: Senator Nash, resume your seat. Order, on both sides! Debating this, if you wish, is after question time.

Senator NASH: The Medical Research Future Fund will enable vital medical research that may lead to the discovery of new medicines and technologies which would be used for prevention, treatment and cure. Medical research has a key role in making our health system sustainable for decades to come. This government is committed to investing in innovation, infrastructure and programs which have long-term economic benefits that come from new medicines and technologies. This government is committed to long-term policies—

Honourable senators interjecting—

The PRESIDENT: Senator Nash, resume your seat. The debate across the chamber is for post question time not during question time. The minister is entitled to be heard in silence from both sides. When there is silence we will proceed.

Senator NASH: The government is committed to long-term policies that strengthen our health system—unlike the previous Labor government, who tried to cut medical research by $400 million in 2011. This government is building a strong and prosperous economy and a sustainable health system. We are building a health system for future generations.

Senator RUSTON (South Australia) (14:16): Mr President, I ask a supplementary question. Can the minister further advise whether this exciting new medical research fund has the community's support?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:16): It is sad to report but, according to the Australian Institute of Health and Welfare report Cancer in Australia: in brief 2012, people living in remote and very remote areas of Australia had higher mortality rates of cervical cancer, cancer in multiple sites, breast cancer in females and lung cancer than those living in major cities. These results are not good enough and are another example of previous Labor government neglect of rural and regional health and strategic planning to close the rural and metropolitan divide.

The Medical Research Future Fund will help realise the huge opportunities for research to boost illness prevention and to promote early intervention and is strongly supported by communities. Investment in medical research will bring us closer to finding a cure for cancer. It may be that an Australian finds the cure. With more investment in medical research, we will see medical technological development that will lead to better health outcomes for not only rural Australians but all Australians.

Senator RUSTON (South Australia) (14:17): Mr President, I ask a further supplementary question. Could the minister elaborate on her comments in the previous answer about how this medical research fund is going to improve health outcomes particularly in rural and regional Australia?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:17): The Australian government is committed to improving health outcomes for people living in rural and remote areas through the implementation of the fund. Every dollar invested in health and medical research returns, on average, $2.17 back into the health system. The Australian Institute of Health and Welfare report Cancer in Australia: in brief 2012 states that in the five years from 2006 to 2010...
people living in the lower socioeconomic areas had higher mortality rates from cervical cancer, lung cancer and cancer of unknown primary site than those living in the highest socioeconomic areas. The development of new medicines will lead to increasing life expectancy and quality of life for rural and regional patients. The new Medical Research Future Fund is investing in our future and is one of the best long-term investments in health we can make. The Medical Research Future Fund will enable the government to work towards closing the gap between the cities and rural and regional Australia.

**Budget**

**Senator McLUCAS** (Queensland) (14:19): My question is to the Assistant Minister for Health, Senator Nash. I refer to the Prime Minister's promise of 'no cuts to health'. Can the minister confirm that the Prime Minister is breaking his promise by cutting $377 million from preventive health, including abolishing the Australian National Preventive Health Agency? Why is the government sacrificing the health and wellbeing of Australians in order to pay for the Prime Minister's broken promise?

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:20): The government is committed to action on preventive health, but a focus on prevention is about more than creating a new bureaucracy with 'prevention' in its name. This is the agency that funded studies into fat taxes nobody wanted, sponsored the Summernats burnout competition and funded fake music festivals—hardly a good use of taxpayers' money. Preventive health issues can still be progressed without the need for another Commonwealth-funded agency. And we will do so. Abolishing the Australian National Preventive Health Agency will streamline and better coordinate preventive health efforts that are currently spread across the Commonwealth health portfolio agencies. Abolishing ANPHA will streamline and better coordinate preventive health efforts that are currently spread across the Commonwealth health portfolio agencies, removing unnecessary duplication, regulation and costs. It will cease operations and we will reintegrate essential ongoing functions into the Department of Health, where most of their functions originally came from. The Department of Health is more than capable of providing these functions. The government does not need a separate agency to continue working with jurisdictions and other stakeholders, seeking expert advice or forming productive working relationships with other bodies. These collaborations will continue where necessary.

The government has a strong track record in supporting preventative health. Previous coalition initiatives include graphic health warnings to reduce smoking rates. We supported breast screening and introduced the National Human Papillomavirus Vaccination Program and the National Bowel Cancer Screening Program. The best prevention is investment in services, including vaccines, medicines and doctors.

**Senator McLUCAS** (Queensland) (14:22): Mr President, I ask a supplementary question. I refer again to the Prime Minister's promise of no cuts to health. I also refer to the government's decision to cut $360 million from programs to help children increase physical activity, to tackle obesity and to improve healthy eating. Given the minister has already shut down the Health Star Rating website, are there any programs that the minister has not cut that will help keep our children healthy?
Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:23): The Australian government will continue to invest in prevention through activities targeted at specific needs in the population and will support people to take personal responsibility for their lifestyle actions to reduce their health related risk factors. Funding to jurisdictions through the National Partnership Agreement on Preventive Health has not been an efficient way for the Commonwealth to achieve preventative health outcomes and has led to the duplication of effort and programs. We have seen a number of measures undertaken to ensure that we will have focus on preventative health into the future. This government is absolutely focused on tackling obesity and ensuring particularly our young people have every educational opportunity they can to improve their lifestyle and health choices.

Senator McLUCAS (Queensland) (14:24): Mr President, I ask a further supplementary question. Again I refer to the Prime Minister's promise of no cuts to health. Given that smoking kills over 15,000 Australians each year, why is the Prime Minister breaking his promise and cutting the National Tobacco Campaign? Can the minister further advise the Senate which tobacco companies, donors or lobbyists she met, or her office met, before budget night?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:24): The government is absolutely focused on reducing smoking. We have the Prime Minister that led the way, as a previous health minister, when it comes to reducing smoking and tackling that very important issue across the nation. We have moved from the existing agency, ANPHA, some of the programs, some of the arrangements, around smoking. That will still be a targeted social marketing campaign aimed at Indigenous and lower socioeconomic people, because the research shows that that is where it is most effective. That is coupled with the existing $5 million for the tobacco campaign—

Senator Moore: Mr President, I am not taking a point of order on relevance. I am just asking, in terms of the second part of the question, is the minister prepared to put that on notice?

The PRESIDENT: No. You have got to take a point of order. You cannot have a second run at the question. Minister, continue. You have got 13 seconds remaining.

Senator NASH: As I was saying, the current funding available that is focused on ensuring that we have the appropriate tobacco campaign—

Senator Moore: Mr President, I now will take a point of order on relevance, to do with the second part of the question, which the minister has not come close to answering, about the people who have lobbied her.

The PRESIDENT: The minister has three seconds remaining to address that part of the question.

Senator NASH: Thank you very much, Mr President. Of course, my office— (Time expired)

Budget

Senator DI NATALE (Victoria) (14:26): My question is to the Minister for Finance, Senator Cormann. In his budget speech last night, the Treasurer concluded by saying:
As Australians, we must not leave our children worse off.
That is not fair.
That is not our way.

At the same time, your budget introduced staggeringly punitive measures for young people, especially those struggling to find work. My question, on behalf of the 730,000 young people affected by changes to Newstart, is as follows: how is a younger person who is currently looking for work but lives in an area of high youth unemployment and has received no income at all for six months supposed to eat, supposed to pay rent and supposed to clothe themselves? Minister, is condemning someone to poverty now 'our way'?

Senator CORMANN (Western Australia—Minister for Finance) (14:27): I thank the Greens for a question on the budget today. It seems that the other side over there is not all that interested in asking questions directly about the budget. Let me just say this. The Treasurer is of course absolutely right. We do need to do the right thing by our children and by our grandchildren. And guess what: funding our consumption today, funding our lifestyle today, funding our quality of life today, based on borrowing, on debt and deficits, forcing our children to fund the cost of our standard of living today and pay it back with interest is not doing the right thing by our children and grandchildren.

Honourable senators interjecting—

The PRESIDENT: Order! When there is silence, we will proceed. People asked the question. They would like to hear the answer. They are entitled to hear the answer. Senator Cormann, continue.

Senator CORMANN: As a result of the waste and mismanagement of the Labor Party in government, we are in a situation now where we have to borrow $1 billion a month just to fund the interest on the debt that they have accumulated in government. Just imagine. That is like a family putting their groceries on the credit card, putting their wine and their utilities or whatever onto the credit card and getting their children and grandchildren to pay the price for it. Actually it is worse. It is the same as putting your groceries on the credit card, running the credit card up and borrowing more money to pay the interest on your credit card so that your kids eventually, down the track, have to pay the bill. That is reducing opportunity for our children and our grandchildren. We want to create opportunity for our children and grandchildren. We want to build a stronger economy, where everyone has the opportunity to get ahead. We want to build a stronger economy, where people have more opportunity, not less.

Honourable senators interjecting—

The PRESIDENT: Senator Cormann, whilst you only have a short amount of time left to answer the question, I ask you to resume your seat for the simple reason that there are too many people trying to talk across the chamber. It is disorderly. You are entitled to be heard in silence, and Senator Di Natale is entitled to hear the answer. Continue.

Senator CORMANN: In relation to the question about young people and the dole: on this side of the chamber we do not think it is appropriate for someone to walk straight out of the school onto the dole. We actually think it is appropriate for a young person to either earn or learn. We think that it is appropriate— (Time expired)
Senator DI NATALE (Victoria) (14:30): Mr President, I ask a supplementary question. Minister, your budget carries with it the strong message that this is a budget for future generations and that you want to see young people either earning or learning, but changes in the budget mean that the cost of a degree from some universities will now skyrocket, with some courses soon to cost more than $100,000 and with young people facing a further hit with the interest to student loans set to become more expensive. Minister, if this is a budget for future generations, why have you punished them and let the big end of town off scot-free?

Senator CORMANN (Western Australia—Minister for Finance) (14:31): I completely reject that last assertion, but let me just make this point: this is a budget which ensures that today's generation funds its own costs. When it comes to education, what we are doing is pursuing a very exciting reform in higher education. We do not have a single university right now in the world's top 20. We want to have a university in the top 20 in the world. We should have a university in the top 20 in the world.

Opposition senators interjecting—
Government senators interjecting—

The PRESIDENT: Senator Cormann, once again resume your seat.

Senator Kim Carr: You think that's what's going to do it? Paying off your mates on the North Shore?

Senator Ronaldson interjecting—

The PRESIDENT: Order! Senator Carr. Senator Ronaldson. Debating this across the chamber now does not assist question time at all. After three o'clock is the time to debate it. Senator Cormann is entitled to be heard in silence. Senator Cormann.

Senator CORMANN: The voice of Pyongyang clearly doesn't understand about the free market! They are good at interjecting even though they do not know how to ask a question. We are making sure that universities are able to compete by deregulating fees. Some fees might go up, but a lot of fees will go down, and there will be more opportunity for students across Australia, who are able to borrow 100 per cent of the costs from the taxpayer.

Senator DI NATALE (Victoria) (14:32): Minister, Australians of our vintage have been fortunate enough to grow up with the security of a decent social safety net, access to free universities, universal health care and affordable housing.

Honourable senators interjecting—

The PRESIDENT: Order! Some common decency has got to be given to the person asking the question. Senator Di Natale is asking the question.

Senator DI NATALE: Are we resetting the clock?

The PRESIDENT: No, continue. I will give you ample opportunity to ask your question.

Senator DI NATALE: Minister, given that our vintage has been fortunate enough to grow up with a decent social safety net, free education and universal health care, doesn't that actually make each of us here in this chamber a generation of leaners rather than lifters?

Senator CORMANN (Western Australia—Minister for Finance) (14:33): I would ask the Senator to have a close look at our budget papers. What he will see in the budget papers is that the spending growth trajectory that we inherited from the Labor Party is unsustainable.
This generation right now is living beyond its means. This generation right now is forcing future generations to fund our cost of living. This generation, as a result of the waste and the mismanagement of the Labor Party, is forcing our children and grandchildren to pay the price for our entitlements—with interest. What we want to do is replace the old age of entitlement with a new age of opportunity where everybody has the opportunity to get ahead. That is what I am here about, that is what every one of my colleagues is here about and that is what we will achieve in government.

**Budget**

**Senator BUSHBY** (Tasmania—Deputy Government Whip in the Senate) (14:34): My question is also to Senator Cormann, the Minister for Finance and the Minister representing the Treasurer.

**Senator Wong:** Why did you lie, Mathias?

*Honourable senators interjecting—*

**The PRESIDENT:** Order! I have called Senator Bushby.

**Senator BUSHBY:** My question is to Senator Cormann, the Minister for Finance and the Minister representing the Treasurer. Can the minister explain how the budget delivered last night will build and strengthen our economy and start to repair the budget?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:35): Last night the government delivered a budget which is honest—

*Opposition senators interjecting—*

**Senator CORMANN:** which is fair, which delivers on our commitments, which builds a stronger, more prosperous economy, a more resilient economy—

*Opposition senators interjecting—*

**The PRESIDENT:** Senator Cormann, resume your seat. Order! When there is order, we will proceed. Senator Cormann, continue.

**Senator CORMANN:** It is very important that I say that again. Last night the government delivered a budget which is honest, which is fair; which delivers on the commitments we took to the last election; which is building a stronger, more prosperous, more resilient economy where everyone can get ahead; and which starts to repair the budget mess that we inherited from our predecessors. In last night's budget we put a stop to Labor's unsustainable spending growth trajectory because that is the right thing to do in the national interest. The Labor Party never really fessed up to this before the election, but guess what. When you look at the fine print, when you look at the report that came out by the Commission of Audit—

*Opposition senators interjecting—*

**Senator CORMANN:** do you know where the spending growth trajectory was going under Labor? It was going to 26.5 per cent as a share of GDP.

**The PRESIDENT:** Order! Senator Cormann, just resume your seat, again. When there is silence, Senator Cormann, I will ask you to proceed. You are entitled to be heard in silence. Senator Cormann, continue.

**Senator CORMANN:** We always have to remind ourselves that the Labor Party, in 2007, inherited a strong economy and a strong budget with no government net debt, a $20 billion
surplus and money in the bank. The government was collecting more than $1 billion a year in net interest payments. We are now having to pay $12 billion just for the interest on the debt that Labor has accumulated. We inherited $191 billion of deficits from Labor's first five budgets, another $123 billion in projected deficits from Labor's last budget, and debt is heading for $667 billion without corrective action. The good news is that this government is turning the situation around. We are reducing the deficits before going back into surplus and we are paying off and reducing Labor's debt. *(Time expired)*

**Senator BUSHBY** (Tasmania—Deputy Government Whip in the Senate) (14:38): Mr President, I ask a supplementary question. Can the minister explain to the Senate why all Australians should contribute to the budget repair job?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:38): In last night’s budget we did ask the Australian people to contribute. We did ask the Australian people to help us build a stronger economy. We did ask the Australian people to help us repair the budget mess that we have inherited. It is not a budget mess of our making but a budget mess that we will take full responsibility to repair, and we do ask that the Australian people help us. We know that people will not be excited about some of the measures in this budget. We do know that some people will find it difficult to make their contribution. We do ask people across Australia to accept that what we are doing, what we are putting on the table, in this budget is something that we are doing in the national interest. It is something that we are doing to strengthen our country. It is something that we are doing for the right reasons, because we have no choice. The spending growth trajectory that Labor recklessly and irresponsibly put our country on is not sustainable. There is no alternative to the job that we are doing. *(Time expired)*

**Senator BUSHBY** (Tasmania—Deputy Government Whip in the Senate) (14:40): Mr President, I ask a further supplementary question. Can the minister inform the Senate why it is so important to get our budget back on track?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:40): It is so important to get our budget back on track because we do not want to leave our country in a weaker position than we found it. We do not want to leave our children in a situation where they have less opportunity than we had, because this generation has spent beyond its means, because this generation was governed by a government over the last six years which did not know how to manage money. An overall deficit of $191 billion in their first five budgets and another $123 billion of projected deficits in their last budget are reckless and irresponsible. We want to build future opportunity. We want to build a strong Australia. We are asking people to join us and to contribute. We are all in this together. It is so important that we get this right, because we do not want to be the generation that our children and grandchildren point to and say, 'What did you do to our country? You inherited a strong country from your predecessors. What did you do to keep it going?' *(Time expired)*

**Budget**

**Senator PERIS** (Northern Territory) (14:41): My question is to the Minister for Indigenous Affairs, Senator Scullion. I refer the minister to the Prime Minister's pre-election promise that he would be a Prime Minister for Aboriginal affairs. I also refer to the Prime Minister's pre-election promise that:
… we won't do anything that's a breach of faith with the public.

Why has the Prime Minister breached faith with Australians by cutting more than half a billion dollars from Indigenous affairs programs?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:42): Thank you very much for verballing me there, Senator. One of the things on this side is a rule about accuracy and not about fantasy.

Honourable senators interjecting—

The PRESIDENT: Order! Senator Scullion, just resume your seat. When the excitement dies down I will ask Senator Scullion to continue the answer. When there is silence we will proceed. Senator Scullion.

Senator SCULLION: Thank you, Mr President. This is what we actually said:
The Coalition will continue the current level of funding expended on Closing the Gap activities, but will examine these costly programmes to make sure that they are directly working to meet the Closing the Gap targets.

That is exactly what we have done. We have conducted a review of the programs. We have decided that there is an awful lot of red tape and that there is a lot of waste and mismanagement. I am sure the good senator would understand that. For those on the other side, this was a part of their legacy. We have amalgamated those processes into five programs, five streamlined programs, that are going to be able to deliver a rational and coherent approach to Indigenous affairs that has not been seen in the past. We have actually had over 150 programs rationalised into five program areas that are going to be—

Honourable senators interjecting—

The PRESIDENT: Order! Senator Scullion, resume your seat. Senator Scullion, you are entitled to be heard in silence, continue.

Senator SCULLION: So now we have five streamlined programs that not only are people going to be able to understand clearly but will be delivered without having any impact on the services on the ground. So any of the savings that we have made across this budget are not going to have an impact on the ground and that is the most important priority. We promised, as a part of our election platform, not what the senator was suggesting but exactly as I quoted. We looked very carefully at the costly programs, we reviewed them to come up with a better process and that is exactly what we have done.

Senator PERIS (Northern Territory) (14:45): Mr President, I ask a supplementary question. I refer to the coalition's pre-election promise that a coalition government would maintain funding to close the gap in Indigenous health. Can the minister confirm that ripping $125 million from Indigenous health over the next three years is a broken promise that will widen, not close, the gap? Why are some of our most vulnerable Australians paying the price for this government's broken promise?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:45): Whilst this is not directly in my portfolio area—it is actually in the portfolio area of my colleague—I am more than happy to take this question. If you are referring to the budget papers you indicated, it is actually $121.8 million, not $125 million—so much for the detail. We believe that we cannot keep doing what we have done in the past. The senator herself would understand better than most—or she should—that we
cannot keep doing what we are doing. The waste, the mismanagement and the red tape are
clogging the ability to close the gap. The gap under those opposite, I would remind them, was
in fact not closing; it has in fact widened in many areas we are now focusing on, particularly
the area of school attendance. It is our efforts to get rid of the red of tape and the
mismanagement—(Time expired)

Senator PÉRIS (Northern Territory) (14:46): Mr President, I ask a further supplementary
question. Can the minister confirm that the Baya Gawiy Children and Family Centre in
Fitzroy Crossing now faces closure due to the coalition government's decision to cut funding
to this service? Can the minister advise the Senate how many of the other 38 children and
family centres for Indigenous early education will close under this minister's stewardship?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of
The Nationals in the Senate) (14:47): The 38 family and children centres across this nation
are emblematic of the chaotic approach of those opposite. They promised and built some 28
of these centres. Was there any contingency for actually staffing the centres? No, we do not
worry about that. We will just build a building and suddenly it will be solved magically. Of
course we know now that that simply is not going to happen. There was no contingency at all
for this. The Commonwealth government involvement was simply to build—

Opposition senators interjecting—

The PRESIDENT: Order! On my left! Senator Wong is on her feet.

Senator Wong: Mr President, I rise on a point of order: relevance. This is a serious
question. The minister was asked how many of the 38 children and family centres for
Indigenous early education would close. I would ask him to return to the question.

The PRESIDENT: Order! The minister has 20 seconds remaining. I do remind the
minister of the question.

Senator SCULLION: Thank you, Mr President. None will close as a consequence of any
action from us. There were additional funds available beyond the bill for states and territories
to meet their obligations in regard to staffing these centres. In many of these centres in many
of the states and territories—(Time expired)

DISTINGUISHED VISITORS

The PRESIDENT: Order! Before calling the next question, I draw the attention of
honourable senators to the presence in the President's gallery of former senator Ross
Lightfoot. Welcome back to question time.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Budget

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:49): My question is
to the Minister for Human Services representing the Minister for Education, Senator Payne.
Can the minister advise the Senate how the measures contained in last night's budget broaden
the opportunities for school leavers and of any endorsement of these reforms?

Senator PAYNE (New South Wales—Minister for Human Services) (14:49): I thank
Senator McKenzie for her continued interest in the important area of education. What I am
able to tell the Senate about this historical higher education reform is that it will ensure that
more Australians are able to receive a world-class higher education as well as wider
opportunities through diploma and other pathway courses, and it will ensure that Australia's
higher education is not left behind in what is an increasingly competitive international
environment.

For the first time ever, the Australian government will provide direct financial support to
all students studying at any registered Australian higher education provider such as a public
university, a private university, a TAFE or a college for any accredited undergraduate course
including higher education diplomas, advanced diplomas, associate degrees and degrees. For
the first time ever, there will be direct financial support to all students in those categories.
What those changes provide is an historic pathway into higher education for Australians. And
a lot of those Australians will come from lower socioeconomic areas and regional areas. What
that means by 2018 is world-changing for this country.

Opposition senators interjecting—

The PRESIDENT: Order! Resume your seat, Senator Payne. You are entitled to be heard
in silence. When silence resumes, you will be called upon to continue the answer.

Senator PAYNE: What that means by 2018 is that the reforms will see the Australian
government supporting over 80,000 more students as they pursue the best course for them.
The government will also offer HECS style trade support loans for apprentices from 1 July
2014 that will encourage more people to take up a trade and complete their qualification. Like
HELP loans for university students, they will only be repayable once apprentices are earning
a decent income. We are going to introduce a massive new Commonwealth scholarship
scheme which will boost equity of access for disadvantaged university students from low
socioeconomic backgrounds—(Time expired)

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:52): Mr President, I
have a supplementary. Can the minister advise the Senate of the benefits for students of
Commonwealth support for diplomas, advanced diplomas and associate degrees as well as
bachelor degrees with all higher education providers?

Senator PAYNE (New South Wales—Minister for Human Services) (14:52): I thank
Senator McKenzie for the supplementary. Most importantly, from 1 January 2016 there will
be no restriction on the number of subsidised places available to students who are enrolling in
these higher education courses. This reform responds to the recommendation in the 2008
Bradley review of higher education. That was for a demand-driven funding system to be
implemented for all undergraduate courses. What the more recent Norton report has also
recommended is that sub-bachelor higher education courses should also be included in the
demand-driven system. So we will see options dramatically expanded for Australians,
pathways for students who are less prepared for university while funding an enormous range
of qualifications that then lead straight to jobs. Students who really need the support can
prepare better for university rather than necessarily going into degree courses before they are
ready. The UWS College is a great example of this particular aspect of the policy. We are
going to support students into pathway courses. (Time expired)
Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:53): Thank you very much, Minister. Mr President, I have a further supplementary question. Can the minister tell the Senate about the benefits for students of the new Commonwealth scholarships?

Senator PAYNE (New South Wales—Minister for Human Services) (14:53): Thank you, Senator McKenzie. This is a fantastic piece of news in the higher education space because it means that students from disadvantaged backgrounds are going to have access to a new Commonwealth scholarship system which will help them meet the costs associated with higher education, particularly students, as Senator McKenzie would especially identify with, from regional Australia.

Opposition senators interjecting—

The PRESIDENT: Senator Payne is entitled to be heard in silence.

Senator PAYNE: Those regional students often face additional challenges. They are going to be offered by higher education institutions with 500 or more Commonwealth subsidised students who increase their revenue as a result of the deregulation of student contributions. We are going to require universities and other higher ed providers to spend a dollar in every five dollars of additional revenue raised to the new Commonwealth scholarships. Universities and other providers will provide tailored individualised support to students which includes need based scholarships which will meet the cost of living, fee exemptions, mentoring, tutorial support and assistance and other critical points in their study.

(Time expired)

Budget

Senator MADIGAN (Victoria) (14:55): My question is to the Minister for Finance, Senator Cormann. Minister, this budget has been widely considered to have the strongest consequences for those who can least afford it, whether it be single income families, pensioners or low to middle income workers. A $200 deficit levy for those on $190,000 would be considered as a joke by pensioners, who will now be paying $7 to visit their GP. Can the minister outline the government's justification for applying further restrictions to eligibility for family tax benefit B when this was the only form of horizontal tax equity which compensated for the expense of dependent children for families on low and middle incomes?

Senator CORMANN (Western Australia—Minister for Finance) (14:55): I thank Senator Madigan for that question and I appreciate and the government appreciates his genuine interest in the welfare of families. In this budget we have asked everyone to contribute to build Australia, to create opportunity and to make sure that we are back on a sustainable footing. We understand that some of the decisions we have had to make are difficult decisions. We understand that people across Australia will not universally be excited about the contribution they are being asked to make. But what I would say to you is that our objective and our focus has been on making sure that welfare support for families is targeted at those most in need.

In relation to the reference to somebody on $190,000, it is true that in the budget we are imposing a temporary budget repair levy. We could call it the Swan-Wong budget mess repair levy but we are calling it the budget repair levy, which is effectively a temporary increase by two per cent in the top marginal tax rate. Senator Madigan mentions how much somebody on $190,000 would pay in additional tax. After we have imposed that levy, somebody earning
$190,000 per annum will be paying $60,197 in tax. So the point here is that we are very conscious of the fact that higher income earners already do a lot of the heavy lifting. In an absolute effort and commitment to ensure that we spread the additional effort required to fix the mess that Labor left behind as fairly and equitably as possible, we have ensured that there are also measures in this budget that require a special effort from higher income earners that comes on top of a very substantial effort they are already required to make. *(Time expired)*

**Senator MADIGAN** (Victoria) (14:58): I ask a supplementary question, Mr President. In the budget it was announced that $618 million in funding to the automotive industry will be ripped out over the next eight years with only $100 million being invested for over six years in a growth fund to support those affected by the loss of the automotive industry. Can the minister outline how flagging $29.8 million of these funds for the regional infrastructure program will assist component manufacturers to innovate and grow their businesses?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:58): What we have done in this budget is face up to the facts. One of the facts that we have to deal with is that after six years of Labor manufacturing in Australia was in decline. The cost of doing business in Australia after six years of Labor kept going up and up. The carbon tax, excessive red tape, budget mismanagement, all of that has contributed to a circumstance where manufacturing in Australia when we came into government was in decline. We inherited an economy growing below trend, rising unemployment, consumer confidence too low, business investment which had plateaued. We are working on turning that situation around and we want to do it by creating a stronger environment in which all businesses, large and small, can prosper. We want those businesses to prosper that genuinely produce and deliver goods and services that people actually want. So we are not here unashamedly continuing to provide subsidies for businesses that no longer produce products that people actually want; we want all businesses to be genuinely able to stand on their own two feet. *(Time expired)*

**Senator MADIGAN** (Victoria) (14:59): Mr President, I have a further supplementary question. Can the minister outline how much money will be raised by increasing co-payments for concessional patients by eight cents, what impact this will have on the budget’s bottom line and whether this can be considered fair, reasonable and proportionate for the sick and elderly?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:59): We have gone out of our way in this budget to ensure that we very carefully target all of the measures so that everyone does their fair bit in helping to repair the budget mess that we have inherited from Labor.

**Senator Wong:** So low- and middle-income Australians pay.

**Senator CORMANN:** I note that question time is about to come to an end and Senator Wong is very loudly interjecting. I note that the Labor Party has not been interested enough in the budget to ask me a simple question—

**Senator Wong:** You lied before the last election. You should come in here and tell people why you lied.

**The PRESIDENT:** Senator Wong, you need to withdraw that comment.

**Senator Wong:** I withdraw. Perhaps the minister will say why 'no cuts to health' was true.

**The PRESIDENT:** No, that is debating the issue.
Senator Wong: It was a deceit on the Australian people—no cuts to health, no cuts to education, no changes to the pension.

The PRESIDENT: Order! That is debating the issue. Resume your seat.

Senator CORMANN: The former finance minister did not have the courage to ask me a question about the budget, but she is happy to hurl abuse across the chamber. We made a promise that we would stick to the funding envelope for health, and we are keeping it. We are making efficiencies in the health portfolio—as we should—to treat taxpayers' money with respect and we are reinvesting it into the health system. We are reinvesting it in a very exciting initiative, the medical research future fund, which will improve our medical care, our health care, for decades to come. (Time expired)

Budget

Senator FURNER (Queensland) (15:01): My question is to the Minister for Indigenous Affairs, Senator Scullion. I refer to the Prime Minister's pledge to be a Prime Minister for Aboriginal affairs. Why is the Prime Minister cutting $409 million from Indigenous affairs programs in his own department? Can the minister advise the Senate what frontline programs and services will be cut?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (15:02): Budget paper No. 2 will provide a little bit more information for the senator. If you look carefully, the $409 million had a contribution of $355 million, of which $239 million was a save but the other $115 million came back into the budget in terms of our savings. So it was not the $409 million figure.

I indicated in an earlier answer that these savings of $239 million are because of the new adjustments in streamlining the programs. This can be saved through making sure that the red tape, inefficiencies and bureaucracy are streamlined. We think a 4.5 per cent cut is a modest cut. It is a modest cut not only in the context of the budget task in front of us but also because, as many in here—

Opposition senators interjecting—

The PRESIDENT: Order! When there is silence we will proceed. If you wish to debate it, at the end of question time you have half an hour to debate these issues. When there is silence I will call Senator Scullion to continue.

Senator SCULLION: I am confident that that 4.5 per cent saving can be harvested from efficiencies.

Opposition senators interjecting—

The PRESIDENT: Order! I will not give you the call, Senator Moore, until there is silence.

Senator Moore: Mr President, my point of order is on relevance. The particular question asked what frontline programs and services will be cut. Could the minister actually respond to that part of the question?

The PRESIDENT: The minister is responding to the question. The minister has 42 seconds remaining.

Senator SCULLION: As I was about to get to, we will not be having any impact on the ground to frontline services. We believe that the harvest of efficiencies through administration
can be there. There will be no impact on the ground. I say that with confidence because, due to the complete mess in this area by those opposite, we have plenty of areas of incompetence, mismanagement, red tape and over-bureaucratisation in this area and we can cop the 4.5 per cent and we can harvest that without any impact on the ground to services.

Senator FURNER (Queensland) (15:05): I thank the minister for that response on those modest cuts. My supplementary question is: what cuts will be made to remote housing and municipal services programs?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (15:06): I am pleased to inform the Senate that there will be no cuts to the National Partnership Agreement on Remote Indigenous Housing. But it will be subject to a slight change, and that is in the nature of the relationship. We will no longer be continuing with the national partnership; we will now be having negotiations through a bilateral round. So the context, for example, of the senator from Queensland is that we can speak to the Queensland government and we can talk about the delivery of houses in their context, not in a national context. It is just a much smarter way of doing business.

Senator, in terms of your context of the municipal services program it really beggars belief to know that the Commonwealth is actually delivering municipal services still, in some parts of the country. I know successive governments—(Time expired)

Senator FURNER (Queensland) (15:07): Mr President, I ask a further supplementary question. My question is again to the minister. Why is the Prime Minister's department cutting $3.5 million from the Torres Strait Regional Authority over the next four years, and what programs and services for Torres Strait Islanders will be cut?

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (15:07): If I can just continue on the previous question, because I have got the time to answer on both—

Opposition senators: No!

Senator SCULLION: In terms of municipal services, I am very pleased to note that your state, Senator Furner, only last week, was the first to agree to a change in municipal services, and they are now providing that service themselves.

In terms of Torres Strait Islanders, if you do the maths you will find that $3.4 million is in fact 4.5 per cent of their budget, which is a budget that has been taken across to services. I was in the Torres Strait recently and I can assure you: with the assistance of the TSRA, we think that, as to that 4.5 per cent harvesting of efficiency dividends across the portfolio, we are able to make that without actually having any impact on the ground.

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Budget

Senator McLUCAS (Queensland) (15:09): I move:

That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today relating to the 2014-15 Budget.
Budgets are about choices. They are about priorities. A government's budget is a window on the priorities of that government, and this budget fails the fairness test and it fails the truth test.

Mr Abbott said in the election campaign last year that there would be no new taxes. Last night's budget saw the beginning of the dismantling of Medicare, where we are taxing people now to pay for the promises of this government. Last night saw the introduction of a $7 co-payment just to visit the GP. It saw the introduction of $5 for every prescription that that GP may prescribe. It provided for another co-payment of $7 for any X-ray, for any pathology, for any other ancillary services that that doctor may wish the patient to have. And we have heard from the other side that $7 is 'just a cup of coffee'. Well, that is not the case for people who are on a pension. It is not the case for people who are on low incomes, and it is not the case for families who may have many children who are unwell. But let me refer to Kasy Chambers, the Executive Director of Anglicare, who puts that in some context. She says:

... $7 is very different to different groups in the community. Seven dollars to someone on Newstart is the equivalent of $43.17 for those on the average male wage, or $63.26 for those on a salary of $120,000.

She says it is:

Certainly enough to make people think more than twice about that visit.

What will be the result of the imposition of these taxes on our health system—this dismantling of our Medicare? The result will be that people will visit the doctor less. They will be less compliant with their medication. That will lead to worse health outcomes in the future.

And who are the people who will reduce their access to health services? The research is clear: it is the poor, including our pensioners; it is the chronically ill; it is people with disability; it is people who are living with mental illness; it is people in remote areas and it is Aboriginal and Torres Strait Islander people. The health of all Australians will suffer, but it will affect the poor and the sick more than everyone else in our society. It is hard to get people to attend the doctor for an annual check-up, but a GP tax will mean that fewer people will attend the doctor for those annual check-ups that are so beneficial to their health in the long run—check-ups that will identify diabetes early or identify cancers that can be cured. Those check-ups save the health budget in the long term and they save the health of people in our society and our community.

Preventive health measures save lives and they save money in future budgets. That is why it is, frankly, plain crazy to cut programs that will increase physical activity, particularly in our young children, that will tackle the obesity problem that is looming large. It is crazy to remove programs that will improve healthy eating, as we have already seen from this minister. We need to ensure that we do all we can to ensure that the health of our community is given the best advice, and that is why the Australian National Preventive Health Agency was so beneficial; it was doing such good work to ensure that the health of our society would continue to improve.

But the big killer in this budget, and the big killer in society, as we all know, is tobacco smoking. This budget reduces the programs to reduce smoking in our community. This is not the time to remove effort to stop people smoking. I commend ministers Roxon and Plibersek for the work that they did in government to ensure that the numbers of Australians smoking
cigarettes were reduced. But now there is a reduction in the program to ensure that people know that they should not smoke, and I am afraid it will lead to poorer health outcomes.

This is a bad budget. It hits the sick and the poor the hardest. It will result in higher costs in the long term. It will result in worse health outcomes for all Australians. It has broken a solemn promise, of no new cuts and no cuts to health. (Time expired)

Senator MASON (Queensland—Parliamentary Secretary to the Minister for Foreign Affairs) (15:14): Mr Deputy President, you and I are both students of history. In just six short years, Labor conjured up a projected debt of two-thirds of $1 trillion and just 6½ years ago the coalition had about $40 billion in the bank. If anyone had said 6½ years ago that even the Labor Party could conjure nearly $700,000 million in projected debt, no-one in this country would have believed that.

Yet that is what they have done. They have created the problem and, when we try to solve it and come up with some solutions, they complain. No-one believes this budget is comfortable. I accept that there is pain in the community. There are no easy choices in this budget. It is difficult. We are not doing this because we enjoy it, we are not doing it because it is easy; we are doing it because we have to do it.

Let us face it: this budget is electorally hazardous. Every political instinct, every political impulse, every opinion poll would tell you: don't do it. Every opinion poll would say: 'Take the easy option and do what the Labor Party and the Greens always do; just chuck it on the credit card, because the voters of today won't feel the pain, neither will the politicians.' That is the easy way out. It is typical of the Left here in Australia and throughout the developed world to throw the debt and the responsibility to the next generation, who cannot yet vote.

That is the easy way out, the cowardly way out. While of course we know and understand that the Labor Party and the Greens know nothing about economics, we always thought they had a social conscience—that they may have no idea about economics, but they have some sort of social conscience. Now we know this: that they are quite happy to throw the debt on to our children and grandchildren and those yet unborn for the sake of their own electoral hides. It is absolutely disgraceful. If the history of the Western world has said anything in the last 30 years it is that governments must say no, enough is enough and that generations must live within their means.

The history of Western Europe is littered with this lot, every single interest group—all the rent seekers, all the cronies—seeking money from the government. And they always give in. Do you know why? Because it is the easy thing to do: 'Put it on the credit card, we will get re-elected. Forget about tomorrow, forget about our children and our grandchildren.' That makes me sick.

I get this hypocrisy every day and I bet you I will get it for the next several months: 'You're cutting this, you're cutting that.' We are doing it for one very simple reason: so that our children and our grandchildren and those yet to be born will not have to face a mountain of debt. If you want proof of this, you have only to look across at Western Europe. Quite frankly, if I were a Greek teenager I would want to shoot every politician and half the electorate because the government have spent their inheritance.

You owe me an apology, Mr Deputy President. I look forward to the budget in reply on Thursday. Can you imagine Mr Shorten delivering a credible return to surplus? When they
were in government Labor kept talking about a return to surplus. It was just a chimera, it was a fraud and it was a joke, just like all their Social Democratic partners in Western Europe. The problem with Social Democrats is that they have no credibility on this issue. Labor have always left Australia further in debt for the last 113 years and they have still not come up with a way to pay off debt. They sit here and whinge and carp about what we are doing. We are doing it for one simple reason: to ensure that our kids and grandchildren have a future.

Senator KIM CARR (Victoria) (15:19): How could I possibly disagree with that sort of proposition? What we were being told was that, suddenly, there was a budget emergency. Remember that line? There was going to be a budget emergency that had to be fixed. Where is the evidence? On the question of debt, look at what we have got in this country: a AAA rating. And what is our international performance on the question of debt and deficits? Australia has a remarkably good economic record. We are amongst the world's leaders when it comes to economic management and that is what governments around the world have looked to. But not this government.

What they needed was an alibi, an alibi for what was their pre-election mantra that there would be no cuts. Remember that? No cuts to education, no cuts to health and no cuts to the ABC. What do we see after the election? Of course, we see a return to the famous old coalition fantasy of core and non-core promises. That is what we heard today: a return to the John Howard schema of core and non-core promises.

We have a position whereby the government are adopting the ruthless Thatcherite policies. They are seeking to pursue an ideological agenda of hatred against people they believe to be their political opponents. They have measures particularly aimed at the most vulnerable in our community, people who are the poorest, less powerful and not able to defend themselves.

This is a government that always seeks to advance the interests of the wealthy and the powerful. Now we have the ultimate hypocrisy: this Faustian pact that we are presented with, the suggestion that this Senate should embrace the prospect of actually gutting Medicare, one of the great achievements of this nation, in return for a medical research fund.

As the German legend of Faust is maintained, the scholar who was unhappy with the world sought to make a pact with the devil to secure great knowledge, we see that is exactly what we have here: a Faustian pact being presented by this government to try to blackmail the Senate into accepting the gutting of Medicare, a proposition that I contend this Senate will not accept. We have a fraud being presented to medical researchers across this country—a fraud because the government knows that this parliament will not accept the gutting of Medicare because of the importance of Medicare to the Australian people and the welfare of this nation.

When it comes to education more generally, we have a series of measures. Once again, the government said before the election, 'There will be no cuts.' After the election, we have over $5 billion worth of cuts to higher education. There is even their mention of privatising the provision of education. The additional 80,000 places that they spoke of today come at a price. There is $1.1 billion in savings to underwrite that measure. We see a government that are cutting back the CSIRO, cutting back maritime research, cutting back our nuclear agency and cutting back Geoscience Australia. The government are making it much more difficult to advance research in this country, they are undermining science and at the same time they are suggesting that they are doing something else. There is a perfidy about the way in which this government seek to present their case—a perfidy that the Australian people will see through.
My colleague Senator Mason pointed out that the political damage that they are doing to themselves as a consequence of their lies, deceit and treacherous behaviour during the election will be exposed to all those with eyes to see.

In terms of Indigenous affairs—and my colleague will talk more on this issue in a moment—the lies that were told about the attitude towards Indigenous affairs are plain for all to see now as a consequence of what the government actually have done as distinct from what they said they would do prior to the election. The real question is: what is the trust deficit? The trust deficit as a result of the budget last night has grown dramatically. We all understand the consequences for political parties that embark upon that sort of deceit, that sort of dishonesty, that sort of lie. That is exactly what this government has brought upon itself.

(Time expired)

Senator BOYCE (Queensland) (15:24): There certainly has been a very large level of hypocrisy, deceit, perfidy and fraud perpetrated in this chamber and elsewhere about the budget in the last 24 hours, but it has all come from the opposition benches, not from the government. As Senator Cormann pointed out, this budget is tough and fair and it is designed to make us more prosperous and more resilient. It is designed to get the economy back on track. Yet from the opposition all we get is half-truths and outright deceit in terms of what the measures in this budget actually achieve.

I was bemused, I suppose, this morning listening to poor old Mr Bill Shorten trying to develop a mythical family on $100,000 a year, with two children aged 12 and five. He tried to say that this family would be worse off. My first reaction was: why did they wait seven years for the second kid? Nevertheless, Mr Shorten no doubt will have manufactured this family. He does not mention that, if the opposition were to support our carbon tax legislation, this family would be $550 a year better off than they currently are. No, the opposition does not want to let a fact get in the way of their discussion. We had Senator McLucas making the outrageous claim that we have cut $377 million out of preventative health. We have not cut $377 million out of preventative health. We have moved one of the useless bureaucratic agencies that the previous government established back to where it belongs: the Department of Health, which had previously done excellent work in the area of preventative health and will continue to do so.

In the area of Indigenous affairs, as Senator Scullion has pointed out, there has been a 4½ per cent cut across the board, but if anyone here wants to suggest that there was no waste within the way the Labor government went about attempting to deliver services to the Indigenous community in Australia, that is a complete joke. As Senator Scullion pointed out, they built the childcare centres but did not worry about where the childcare workers were going to come from. It is completely typical of the way this government carried on.

I looked at some of the comments in today's papers. One of the key focuses was how to address the huge explosion of spending that was due to hit the budget in 2017. As Senator Mason pointed out, who could have imagined what a Labor government could do to a surplus of $40 million in the bank, but, goodness, we sure know now what a Labor government can do. It seems to be in their DNA to overspend and have no idea about how to implement. We are even getting evidence of that from various court cases going on at the moment, some with tragic results.
Why was there going to be a huge explosion in 2017? It was former Treasurer Swan's pathetic attempt, time after time, to argue that one day he would produce a budget surplus. In his last budget, when it appeared that the Labor government knew the writing was on the wall—that they were going to lose government—they came up with apparently wonderful policy after apparently wonderful policy which they did not fund past the forward estimates. They were unfunded promises. Now they want to carry on about cuts to things that never existed as well as cuts that we have been forced to make due to their attitudes, their spending, their waste, their inability to implement and their inability to evaluate what they do and how they do it.

The Canberra Times today says:

… the measures are well crafted, the numbers internally consistent and coherent. This budget invests in future sustainability …

But it mentions that there will be short-term pain. We do not apologise for that. It is not our fault that there is short-term pain. It is the opposition— (Time expired)

Senator PERIS (Northern Territory) (15:29): I rise to take note of answers given by Senator Scullion to questions on Indigenous Affairs relating to the budget asked in question time today. I am sure we all remember the media coverage our Prime Minister received when he proclaimed that he aspired to be 'the Prime Minister for Aboriginal Australians'. This budget confirms that what this government says and what they do are two different things. Some of our most vulnerable people in this country will be hurt the hardest. This is a budget that well and truly widens the gap on Indigenous disadvantage. My electorate of the Northern Territory has the highest proportion of Aboriginal people in Australia and, make no mistake, they will be hurt more than people anywhere else by these savage cuts. Tony Abbott promised to be the Prime Minister for Aboriginal Affairs. Well, it is now clear that he was not telling us the truth. Indigenous Australians put their trust in Tony Abbott, and they are being repaid by having half a billion dollars slashed from Indigenous Affairs.

Senator Scullion stood in the Senate today and said there will not be any impact on front-line services. That shows just how delusional this government is, especially on the matter of Indigenous Australians. Essential front-line services will be critically affected, including in the areas of education, health, legal services, art programs, Indigenous radio stations, employment programs and more. This has been done under the sneaky cover of 'streamlining' and leaves service providers out in the cold. Across this country, 38 child and family services for Indigenous families will be cut.

This budget also confirms cuts of $15 million to the National Congress, which has over 7,500 individual and organisational members. Thanks to the efforts of the previous federal Labor government and the Northern Territory governments, the Northern Territory is the only jurisdiction currently meeting the Closing the Gap targets. This budget puts that achievement at serious risk.

Indigenous Australians make up 85 per cent of the prison population in the Northern Territory. This is a shocking statistic, yet this budget will only result in that percentage increasing. Providing legal service for Indigenous Australians is paramount. Access to legal aid is something most Australians rightly take for granted. It would appear that this government considers Indigenous Australians to be 'out of sight, out of mind'. So far, the self-professed Prime Minister for Indigenous Australians has given the green light to racism while
slamming the brakes on Indigenous programs and, worse, takings us backwards. There are also cuts to local governments, which will mean more pain for those in the bush, where the regional councils already struggle to raise their own revenue in the face of so much need.

The year 2013 was the most violent in the history of the Northern Territory, with the majority of victims being women. Domestic violence in the Northern Territory increased by 22 per cent last year. An Aboriginal woman is 80 times more likely than other Territorians to be admitted to hospital as a result of assault. I have said it before and I will say it over and over again: this is a statistic that every Australian should be made aware of, and be embarrassed by. But it seems to fall on deaf ears on the other side of the House. Given that statistic, it is a national disgrace that this government has seen fit to cut family violence prevention programs. Ultimately, the government is tolerating the unacceptable violence that women in the Territory suffer. This is a message Senator Scullion will need to communicate to his constituents. This was his chance to influence a budget to help Indigenous Australians. No matter the spin coming from the other side, this promise has been broken—like so many other promises that this budget has broken.

But it doesn't stop there. The cuts to tertiary education will also impact on widening a gap that we are meant to be actively taking part in bipartisan efforts to close. One of the best achievements of the previous Labor government was the establishment of the Northern Territory Medical School at Charles Darwin University. We face a doctor shortage in the Northern Territory, and developing our own home-grown doctors is the best way to address it. This program encouraged local doctors and nurses to provide their much needed skills in the remote bush regions of the Territory. This facility should be expanded, not cut, but instead this government has announced a cut of $400,000 over four years.

The Prime Minister has broken the fundamental commitment he made to Aboriginal and Torres Strait Islander peoples before the election. He said: 'Should the coalition win the election, Aboriginal people will be at the heart of a new government in word and in deed.' Closing the Gap requires more than words. Whether we succeed or fail will depend on a relationship of trust and support between the Commonwealth government and the Aboriginal and Torres Strait Islander peoples of Australia.

Question agreed to.

**Budget**

**Senator DI NATALE** (Victoria) (15:34): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Di Natale today relating to the 2014-15 Budget.

I could stand here today and talk about the fact that this is a government that has campaigned on the issue of broken promises and, indeed, within a few short months has broken fundamental commitments that it made to the Australian community to not cut health care, to ensure that pensioners are looked after, and around the funding of our schools. It is that sort of deceit and duplicity that gives all of us in this chamber a bad name. It is that sort of deceit and duplicity that means politicians are no longer trusted members of the community. If I am being absolutely honest, broken promises are not the issue that I am most aggrieved about. Indeed, if the coalition were to break a promise on tackling climate change and getting serious about it, I would welcome it. If they were to break their promise about getting a fair return for
the minerals that belong to each and every one of us through a decent mining tax, I would welcome it.

It is not just the broken promises that are at issue here, but the fundamental assault on the foundations of Australian society. This is an egalitarian nation founded on the spirit of the fair go. Australia is a country that says, 'No matter how rich or poor you are, we're going to look after you.' Australia is a country that says, 'If you were unlucky enough to be born with a chronic disease through no fault of your own, we're going to look after you.' Australia is a country that says, 'If you have worked hard all of your life and contributed to Australian society, we are going to look after you. It is for that assault that I reserve my most stinging criticism.

When you look at what this government is proposing to do to the young people of Australia, you see a group of privileged, older white men who have benefited from a free education, who have benefited from universal health care and who have been the beneficiaries of a generous social safety net, saying: 'We had it good, but stuff you. You're not going to. We are going to ensure that our prosperity will be had off your shoulders.' That is what I am most aggrieved about. How is it that a young person who finds themselves unemployed is ineligible for six months to get support? What on earth are they supposed to do? How do they feed themselves? How do they pay their rent? How do they pay for transport? How do they clothe themselves? I simply do not get it.

I understand that there is a narrow, brutal, ideological world view out there, but it is a world view that affects the lives of young people right across the country. Over 700,000 people will be affected by the changes to Newstart. What happens to a young kid who lives in my home town of Geelong—where in some parts we are talking about youth unemployment of almost 20 per cent—who has been looking for a job, who is struggling and who now does not have access to any social support to ensure that they can pay their rent and feed themselves? It is disgraceful. What about the young person who is unemployed now, a young woman who needs to go and see the doctor to get her oral contraceptive, get her asthma medication or have a blood test? There is now a co-payment for the doctor's visit, a co-payment to see the pathologist, a co-payment for each of those medicines and no access to social support. What is that person supposed to do in that setting?

You see, this government has issued a blueprint for a dog-eat-dog society. It talks about lifters and leaners, but what it needs to be thinking about is whether we are a country that is committed to the fair go—whether in fact we want to be a country that is cruel or compassionate, a country that is cruel or caring. That is what is in question here, and the Greens will fight to our last breath to ensure that we look after those people.

Question agreed to.

NOTICES
Presentation

Senator Rhiannon to move:

That the Senate—

(a) notes that in its first budget the Abbott Coalition Government is cutting $5.8 billion from public higher education, including:

______________________________

CHAMBER
(i) $3.2 billion from changes to the HECS-HELP repayment threshold and increased interest rates for HECS-HELP debt,
(ii) $1.1 billion from cuts to Commonwealth funding for course fees,
(iii) $504 million from removing the grandfathering provisions included in the conversion of Student Start-Up Scholarships into loans,
(iv) $290 million from cutting funding to Relocation Scholarships,
(v) $204 million from decreasing indexation rates for grants,
(vi) $170 million from research training cuts,
(vii) $121 million from cutting higher education reward funding,
(viii) $87.7 million from removing the HECS-HELP discount for priority courses redundant,
(ix) $75 million Australian Research Council funding cuts,
(x) $51 million from cuts to Access and Participation Grants, and
(xi) $31 million from cuts to the Tertiary Education Quality and Standards Agency;

(b) acknowledges the crucial role played by public higher education in providing millions of Australians with skills that benefit the broader community; and

calls on the Government to immediately reverse these budget cuts and commit to a well-funded and accessible public higher education system.

Senators Ludlam, McLucas, Xenophon and Madigan to move:

That—

(a) the Senate notes that:

(i) the Government’s 2014-15 budget will have severe impacts on those Australians most at risk of becoming homeless,

(ii) the consequences of this budget will be an increase in the number of homeless people, and

(iii) the Government has already cut more than $40 million from the capital budget of homeless service providers for shelters and housing for the homeless; and

(b) there be laid on the table, by the Minister representing the Minister for Social Services, no later than noon on Monday, 16 June 2014:

(i) an estimate of the number of additional Australians who will be forced into homelessness as a result of measures taken in the 2014-15 budget, and

(ii) measures that the Government proposes to take to provide adequate emergency accommodation and services, and adequate and affordable housing for people made homeless by measures in the Government’s 2014-15 budget in addition to those 100,000 already experiencing homelessness in Australia.

Senator Carr to move:

That, noting the 2014-15 budget allocation of $3 billion to fund the East West Link in Melbourne and the absence of a full, public business case or any recommendation from Infrastructure Australia:

(a) there be laid on the table in accordance with standing order 164 by the Minister representing the Minister for Infrastructure and Regional Development (Senator Johnston), the following papers held by Infrastructure Australia:

(i) any business case presented for Stage 1 or 2 for the East West Link project,

(ii) any correspondence or submissions from the Victorian Government seeking Australian Government funding for this project, and
(iii) any assessment by Infrastructure Australia of the priority of this project compared to other projects; and
(b) these documents are to be tabled prior to consideration of the 2014-15 budget bills, and no later than 7 July 2014.

Senator Moore to move:
That the Senate condemns the Abbott Government’s budget of twisted priorities and broken promises.

Senator Wright to move:
That the Senate—
(a) notes that:
   (i) it is Law Week, which runs from 12 May to 18 May 2014 to promote community awareness about the legal system and access to justice, and
   (ii) the Productivity Commission’s draft report into access to justice states advocacy should be a core activity of the legal assistance sector;
(b) recognises that legal aid commissions and community legal centres are uniquely placed to advocate for law reform, and that to do so is an efficient use of their resources; and
(c) calls on the Government to fund the legal assistance sector adequately to ensure it can fulfil its important advocacy role.

Senator Madigan to move:
That the Senate—
(a) supports the 20th anniversary of the International Day of the Family on 15 May 2014;
(b) recognises families as the foundation of our society through which our society thrives and flourishes;
(c) acknowledges families are entitled to receive tax benefits to compensate for the cost of raising children, including the recognition of the need for horizontal tax equity for all families; and
(d) calls on the Government to:
   (i) ensure that families with dependent children receive adequate financial recognition for the cost of raising children, and
   (ii) provide equal childcare funding for all children whether they are cared for by a parent in their home or through childcare places for parents who choose to return to work.

Senator Fifield to move:
That—
(1) To ensure appropriate consideration of time critical bills by Senate committees, the provisions of all bills introduced into the House of Representatives after 15 May 2014 and up to and including 5 June 2014 that contain substantive provisions commencing on or before 1 July 2014 (together with the provisions of any related bill) are referred to committees for inquiry and report by 16 June 2014.
(2) The committee to which each bill is referred shall be determined in accordance with the order of 13 November 2013, allocating departments and agencies to standing committees.
(3) A committee to which a bill has been referred may determine, by unanimous decision, that there are no substantive matters that require examination and report that fact to the Senate.
(4) This order does not apply in relation to bills which contain:
(a) no provisions other than provisions appropriating revenue or moneys (appropriation bills); and
(b) commencement clauses providing only for the legislation to commence on Royal Assent.

Senator Fifield to move:

That—

(a) the address-in-reply be presented to His Excellency the Governor-General by the President and such senators as may desire to accompany him; and
(b) on Monday, 16 June 2014, the Senate suspend at 3.30 pm till 5.30 pm, for the purpose of presenting the address-in-reply to the Governor-General.

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 grass-fed cattle levies be extended to 16 July 2014.

Senator Fifield 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 grass-fed cattle levies be extended to 16 July 2014.

(1) On Tuesday, 17 June 2014:
(a) the routine of business from 5 pm shall be valedictory statements; and
(b) the question for the adjournment of the Senate shall be proposed at 7.20 pm.
(2) On Tuesday, 24 June 2014:
(a) the routine of business from 4.30 pm shall be valedictory statements; and
(b) the question for the adjournment of the Senate shall be proposed at 7.20 pm.
(3) On Wednesday, 18 June and 25 June 2014:
(a) the routine of business from 5 pm shall be valedictory statements; and
(b) the question for the adjournment of the Senate shall be proposed at 7.20 pm.
(4) On Tuesday, 24 June 2014, any proposal pursuant to standing order 75 shall not be proceeded with.
(5) In making valedictory statements, a senator shall not speak for more than 20 minutes.
(6) If on any of these days the valedictory statements conclude before the time for the adjournment is proposed the Senate shall return to its routine of business.

Senator Wong to move:

That when the Finance and Public Administration Legislation Committee meets to consider the 2014-15 Budget estimates, the Secretary of the Department of the Prime Minister and Cabinet is required to appear to answer questions.

COMMITTEES

Community Affairs Legislation Committee

Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:40): by leave—At the request of the Chair of the Community Affairs Legislation Committee, Senator Boyce, I move:

That the Community Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 15 May 2014, from 12.30 pm.

Question agreed to.
BUSINESS

Leave of Absence

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:41): by leave—I move:
That leave of absence be granted to the following senators for personal reasons:
(a) Senator Carr for 15 May 2014; and
(b) Senator O’Neill for 14 and 15 May 2014.
Question agreed to.

MOTIONS

Western Australia: Shark Culling

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:41): I move:
That the Senate—
(a) acknowledges that the Western Australian Government's shark drum line program ceased on 30 April 2014, and that the Western Australian Government has applied to extend it for a further 3 years;
(b) notes that:
(i) 172 sharks were caught on the drum lines, 48 sharks were destroyed, 20 died on the drum lines, and an unknown number died after being released,
(ii) the cull caught at least 110 sharks under 3 metres in length, despite the Western Australian Government's commitment to mitigate the risk of this happening,
(iii) 5 short fin mako sharks were caught and 4 died during the cull, and
(iv) the Minister for the Environment has determined that an environmental assessment of the proposed extension of the cull be undertaken, but has delegated responsibility for the assessment back to the Western Australian Government;
(c) condemns the unnecessary deaths of these sharks; and
(d) calls on the Federal Government to ensure that no further shark deaths occur by ending its support for this policy.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The Commonwealth Minister for the Environment has required full environmental assessment under national environmental law for the Western Australian Shark Hazard Mitigation Drum Line Program. The program will be assessed by Western Australia under the existing bilateral agreement, an agreement that was put in place by the Labor Party and has been in operation since 2012. This process is not new. It was established and has been supported by the Labor Party, and the final approval rests with the minister.

Question agreed to.

Egypt

Senator MILNE (Tasmania—Leader of the Australian Greens) (15:43): I move:
That the Senate—
(a) notes with concern the ongoing deterioration of democratic principles in Egypt, evidenced by:
(i) the arbitrary arrest of more than 16,000 protestors since the military coup of July 2013,
(ii) the lack of procedural fairness and due process in the judicial system, particularly the recent mass trials that sentenced 529 people in March, and a further 683 in April, to death, and
(iii) suppression of free press, including the ongoing imprisonment of Australian journalist Mr Peter Greste, and fellow Al Jazeera journalists; and
(b) calls on the Prime Minister (Mr Abbott) and the Minister for Foreign Affairs (Ms Bishop) to speak out publicly, and increase pressure on the Egyptian Government to seek the immediate release of Mr Peter Greste and the other 19 individuals detained.

Question agreed to.

DOCUMENTS
Livestock Shipping Services
Order for the Production of Documents

Senator RHIANNON (New South Wales) (15:43): I move:
That there be laid on the table, no later than 23 May 2014, by the Minister representing the Minister for Agriculture, all documents and correspondence relating to Livestock Shipping Services (LSS) between 1 November 2013 to the present day, including, but not limited to:
(a) all letters and emails;
(b) all briefing notes, including but not limited to all Ministerial briefing notes;
(c) all internal departmental emails and memos;
(d) all recorded or noted phone calls and meetings, including meeting minutes; and
(e) all records and other relevant documents.

Question agreed to.

COMMITTEES
Intelligence and Security Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Fawcett, I move:
That the Parliamentary Joint Committee on Intelligence and Security be authorised to hold a public meeting during the sitting of the Senate on Thursday, 15 May 2014, from 5 pm to 7 pm to take evidence for the committee’s inquiry into the review of administration and expenditure no. 11 and no. 12.

Question agreed to.

Legal and Constitutional Affairs References Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Wright, I move:
That the Legal and Constitutional Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 15 May 2014, from 3.45 pm.

Question agreed to.

CHAMBER
Public Accounts and Audit Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Smith, I move:
That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate from 10.30 am, followed by public meetings, as follows:
(a) Thursday, 19 June 2014; and
(b) Thursday, 26 June 2014.
Question agreed to.

Legal and Constitutional Affairs Legislation Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Macdonald, I move:
That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 15 May 2014, from 4.45 pm to take evidence for the committee’s inquiry into the provisions of the Crimes Legislation Amendment (Unexplained Wealth and Other Measures) Bill 2014.
Question agreed to.

Education and Employment Legislation Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Back, I move:
That the Education and Employment Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 14 May 2014 from 7 pm to take evidence for the committee’s inquiry into the provisions of the Fair Work Amendment Bill 2014.
Question agreed to.

Corporations and Financial Services Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Fawcett, I move:
That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Monday, 16 June 2014, from 11.30 am.
Question agreed to.

Treaties Committee
Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:44): At the request of Senator Fawcett, I move:
That the Joint Standing Committee on Treaties be authorised to hold public meetings during the sittings of the Senate, from 11 am to 1 pm, as follows:
(a) Monday, 16 June 2014; and
(b) Monday, 23 June 2014.
Question agreed to.

Environment and Communications References Committee

Reporting Date

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:45): At the request of Senator Thorp, I move:
That the time for the presentation of the report of the Environment and Communications References Committee on its inquiry into Great Barrier Reef be extended to 27 August 2014.
Question agreed to.

Legal and Constitutional Affairs References Committee

Reporting Date

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:45): At the request of Senator Wright, I move:
That the time for the presentation of the report of the Legal and Constitutional Affairs References Committee on its inquiry into Manus Island Detention Centre be extended to 16 July 2014.
Question agreed to.

Legal and Constitutional Affairs References Committee

Reporting Date

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:46): At the request of Senator Wright, I move:
That the time for the presentation of the report of the Legal and Constitutional Affairs References Committee on its inquiry into a comprehensive revision of the Telecommunications (Interception and Access) Act 1979 be extended to 27 August 2014.
Question agreed to.

Legal and Constitutional Affairs Legislation Committee

Reporting Date

Senator KROGER (Victoria—Chief Government Whip) (15:46): At the request of Senator Macdonald, I move:
That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on its inquiry into the provisions of the Crimes Legislation Amendment (Unexplained Wealth and Other Measures) Bill 2014 be extended to 5 June 2014.
Question agreed to.
MOTIONS

Australian Netball Team

Senator KROGER (Victoria—Chief Government Whip) (15:47): At the request of Senator Cash and Senator McKenzie, I move:

That the Senate—
(a) recognises that sport is integral to life for so many Australians and that the Australian Government has a strong commitment to supporting and empowering women to be leaders in sport;
(b) acknowledges that netball is the leading participation sport for women and girls in Australia;
(c) congratulates the Australian netball team for the 2014 Commonwealth Games, including:
   (i) Captain Laura Geitz,
   (ii) Caitlin Bassett, Julie Corletto, Shami Layton, Kim Ravaillion, Madi Robinson and Caitlin Thwaites on their maiden Commonwealth Games selections,
   (iii) Tegan Caldwell on her debut international selection,
   (iv) Bianca Chatfield on returning to the Australian Commonwealth Games team for the first time since 2006, and
   (v) Kimberlee Green, Renae Hallinan and Natalie Medhurst;
(d) notes that:
   (i) Australia will host the 2015 Netball World Cup in Sydney and the Australian Government has committed $3 million towards Netball Australia to host the event as well as an additional $3 million to support the construction of the Netball Australia Centre of Excellence, and
   (ii) Netball Australia also receives approximately $3 million annually from the Government, through the Australian Sports Commission, to support netball high performance programs and increasing participation in the sport;
(e) wishes the Australian netball team for the 2014 Commonwealth Games every success in Glasgow.
Question agreed to.

Nigeria

Senator KROGER (Victoria—Chief Government Whip) (15:47): At the request of Senators Cash, Brandis, Wong, Milne, Moore and Waters, I move:

That the Senate notes that:
(a) Australia condemns the group responsible for the abduction of more than 200 school girls from Chibok in Borno State, Nigeria, and is deeply concerned at reports of further abductions in north-eastern Nigeria;
(b) the Australian Government has made contact with the Nigerian High Commission in Canberra and the Nigerian Government in Abuja to express concern;
(c) Australia is working with Nigeria on counter-terrorism to prevent attacks, including the recent bombings that took place in Abuja and these abductions;
(d) Australia has joined other members of the United Nations Security Council in condemning in the strongest terms the recent attacks committed by Boko Haram;
(e) Australia is strongly committed to empowering women and girls socially, politically and economically, by ending violence against women and girls, and improving access to health care and education; and

Question agreed to.
(f) the Australian Government continues to advise Australians to reconsider their need to travel to Nigeria given the high threat of terrorist attack and kidnapping.

*Senator KROGER:* I ask that my name also be associated with the motion.

*The DEPUTY PRESIDENT:* So added.

Question agreed to.

**National Volunteer Week**

*Senator KROGER* (Victoria—Chief Government Whip) (15:48): At the request of Senators Cash, Fifield and Fierravanti-Wells, I move:

That the Senate—

(a) notes that:

(i) the week of 12 May to 18 May 2014, is the 25th anniversary of National Volunteer Week, a time each year when not-for-profit organisations collectively take the time to celebrate and thank the volunteers they rely so heavily on,

(ii) the theme for this year’s National Volunteer Week is ‘Celebrate the Power of Volunteering’,

(iii) over 6 million Australians generously volunteer their time each and every day, and

(iv) volunteers are a vital part of society in many essential areas, including community, environmental, sporting, welfare, emergency services, education and cultural services and support services; and

(b) acknowledges the volunteers who assist migrants and refugees who have recently arrived in Australia to connect with their new communities.

Question agreed to.

**COMMITTEES**

**National Broadband Network Select Committee**

**Reporting Date**

*Senator McEWEN* (South Australia—Opposition Whip in the Senate) (15:49): At the request of Senator Lundy, I move:

That the time for the presentation of the final report of the Select Committee on the National Broadband Network be extended to the last day of sitting of the 44th Parliament.

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

The Senate divided. [15:53]

(The President—Senator Hogg)]

Ayes .....................37  
Noes .....................29  
Majority ...............8

**AYES**

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CHAMBER
AYES

Lines, S  
Ludwig, JW  
Marshall, GM  
McLuscas, J  
Moore, CM  
Polley, H  
Siewert, R  
Stephens, U  
Tillem, M  
Waters, LJ  
Wong, P  
Xenophon, N

Ludlam, S  
Lundy, KA  
McEwen, A (teller)  
Milne, C  
Peris, N  
Rhiannon, L  
Singh, LM  
Thorpe, LE  
Urquhart, AE  
Whish-Wilson, PS  
Wright, PL

NOES

Back, CJ  
Bernardi, C  
Birmingham, SJ  
Boswell, RLD  
Boyce, SK  
Bushby, DC  
Cash, MC  
Colbeck, R  
Edwards, S  
Fawcett, DJ  
Fierravanti-Wells, C  
Fifield, MP  
Johnston, D  
Kroger, H (teller)  
Macdonald, ID  
Mason, B  
McKenzie, B  
Nash, F  
O’Sullivan, B  
Parry, S  
Payne, MA  
Ronaldson, M  
Ruston, A  
Ryan, SM  
Scullion, NG  
Seselja, Z  
Sinodinos, A  
Smith, D  
Williams, JR

PAIRS

Farrell, D  
Abetz, E  
O’Neill, DM  
Brandis, GH  
Pratt, LC  
Heffernan, W  
Sterle, G  
Cormann, M

Question agreed to.

DOCUMENTS
Note Printing Australia
Order for the Production of Documents

Senator MILNE (Tasmania—Leader of the Australian Greens) (15:55): I move:
That there be laid on the table by the Acting Assistant Treasurer (Senator Cormann), no later than 5 pm on 16 June 2014, the report prepared by KPMG for the Reserve Bank of Australia, that inquired into the conduct of board members of Note Printing Australia in relation to allegations of foreign bribery.

The PRESIDENT: The question is that the motion moved by Senator Milne be agreed to.
The Senate divided. [15:57]
(The President—Senator Hogg)

Ayes ...................... 9
Noes ...................... 47
Majority ................. 38

AYES

Di Natale, R
Ludlam, S
Rhiannon, L
Waters, LJ
Wright, PL

Hanson-Young, SC
Milne, C
Siewert, R (teller)
Whish-Wilson, PS

NOES

Back, CJ
Bilyk, CL
Boswell, RLD
Cameron, DN
Cash, MC
Dastyari, S
Fawcett, DJ
Furner, ML
Hogg, JJ
Kroger, H
Ludwig, JW
Marshall, GM
McEwen, A (teller)
McLucas, J
Nash, F
Parry, S
Peris, N
Ronaldson, M
Ryan, SM
Seselja, Z
Sinodinos, A
Stephens, U
Tillem, M
Williams, JR

Bernardi, C
Bishop, TM
Brown, CL
Carr, KJ
Colbeck, R
Edwards, S
Fifield, MP
Gallacher, AM
Johnston, D
Lines, S
Lundy, KA
Mason, B
McKenzie, B
Moore, CM
O’Sullivan, B
Payne, MA
Polley, H
Ruston, A
Scullion, NG
Singh, LM
Smith, D
Thorpe, LE
Urquhart, AE

Question negatived.

MATTERS OF PUBLIC IMPORTANCE

Budget

The DEPUTY PRESIDENT (16:01): A letter has been received from Senator Moore:

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

The Abbott Government’s vicious attack on low and middle income Australians.

Is the proposal supported?

More than the number of senators required by the standing orders having risen in their places—
The DEPUTY PRESIDENT: I understand that informal arrangements have been made to allocate specific times to each of the speakers in today's debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (16:01): Last night the Abbott government launched a vicious attack on low- and middle-income earners in Australia. The Abbott government's first budget attacks Australians who work hard. It attacks families struggling with the cost of living. It attacks parents who want a better future for their children. It attacks young people studying to improve their skills and to strengthen the nation's future. It attacks the elderly, age pensioners and self-funded retirees. It attacks Indigenous Australians by widening, not closing the gap, and it attacks the weak and the vulnerable: people who are sick, people with disabilities and their carers.

Budgets are a demonstration of a government's values and its priorities. The decisions governments make in budgets reveal what sort of country they want—what sort of economy and what sort of society. The decisions made in budgets also reveal the character of those who lead governments. Revealed in last night's budget is a government with the wrong values and the wrong priorities. Revealed in last night's budget is a government which has only been in office for eight months but which is light-years out of touch with low- and middle-income Australia, a government which denies the cost-of-living pressures on Australian families, a government which is hitting middle Australia hard yet is giving $50,000 to millionaires for having a baby.

And also revealed in last night's budget is a government which has collectively failed the test of character: a Prime Minister exposed as telling serial lies to the public, a Prime Minister breaking not just one promise but virtually every promise he made, a Prime Minister who sat behind his Treasurer last night, smirking and gloating as every cut and every tax hike was announced. Mr Abbott promised no cuts to health and education, and now he is cutting $80 billion from schools and hospitals. Mr Abbott promised no new taxes; now he is hiking petrol tax, imposing new GP and medicine taxes and increasing the top marginal rate of income tax. Mr Abbott promised no change to pensions; now he is cutting pensions. Mr Abbott promised no increase to university fees; now he is increasing university fees for students and their families. And Mr Abbott promised no cuts to the ABC or SBS, and now this budget will cut funding to the public broadcasters by $240 million, and regional services will be the first to go.

Mr Abbott said his government would not slash foreign aid, but this budget slashes foreign aid by $16 billion—a move which will hurt the world's poorest people. As the head of World Vision, Mr Tim Costello has said:

This is devastating because there is a disproportionate impact on those who are most vulnerable.

There has been virtually no promise unbroken and no stone unturned in the Prime Minister's search for ways of hurting people. You have to search far and wide to find a promise that this Prime Minister has not broken.

And it is not just the Prime Minister who has failed the character test. We have a Treasurer who does not understand or care about people who live far from the leafy environs of Sydney's North Shore. We have a finance minister who promised less tax and now he has circulated budget papers showing the government will lift its tax take by $96 billion over the next four years. This Treasurer and this finance minister were caught out puffing on
celebratory cigars after putting together a budget that hikes taxes, cuts pensions and cuts family payments. This Treasurer was caught out dancing in his office to the song *Best day of my life* after putting together a budget that slashes funding from schools and hospitals and paves the way for an increase in the GST.

In question time today the Minister for Finance claimed this was an 'honest budget.' On the contrary; this is a dishonest and deceitful budget. If Joe Hockey had stood up last night and given an honest budget speech, this is what he would have said. This is the speech Mr Hockey, if he had given an honest speech, would have given:

Tonight the Abbott government is showing its true colours. We went to the election last year promising no new taxes, no cuts to schools, no cuts to hospitals, no cuts to pensions and no cuts to family payments.

Well, those were lies.

We inherited a budget with one of the lowest debt-to-GDP ratios amongst all advanced economies and with a AAA credit rating from all three international ratings agencies.

Then we spent months fabricating a fictional budget emergency to justify breaking every promise we made.

So, in tonight's budget we unveil a comprehensive plan to hit low- and middle-income earners at every stage of their lives.

No matter how hard you work, or how much effort you put in to better yourself and your children, or how much you deserve a helping hand, this government will attack you with higher costs and by ripping away support.

The Abbott government's cuts will hit child care, they will hit school children, they will hit university students, they will hit people in the workforce, and they will hit working families.

The government's tax hikes will hit people when they go to the doctor, when they go to the chemist, and when they go to the hospital.

We will hit people when they go to the petrol pump and we will hit them when they go to the supermarket.

For those struck down by illness or disability and for those who lose their jobs, this government will cut social security, replacing the helping hand with a slap in the face.

For those who have retired after paying taxes all their life, this government will cut the age pension and make people work until they are 70.

For self-funded retirees, this government will give out more Commonwealth seniors health cards with one hand, but with the other hand we will slash the concessions and benefits the card entitles you to.

And when advancing years and declining health see you move into a nursing home, this government will not forget you either. It will honour your great age and your contribution to society by cutting aged-care funding by more than half a billion dollars.

And when we are finished with you, we will light up our Cubans and we will dance in our offices.

Because, with this first budget, this Abbott government is looking after the well-off, but for everyone else it is delivering broken promises, increased costs, higher taxes and no hope for the future.

With this first budget the Abbott government is implementing the coalition's real agenda, that is, the one we hid from you at the last election.

It is an agenda for making this nation more unfair, less equal and less caring.
If the Treasurer was, indeed, giving an honest speech last night that is what he would have said, because this budget is a cruel assault on middle Australia. It will cost Australians and it will hit Australians every time they need to see a doctor and every time they fill up their car with petrol. It will cost Australians when they send their children to school or university. It will cost Australians who rely on family payments and pensions to make ends meet.

We are being lectured by this government about how important this budget is for children, how important this budget is for the next generation. So important are the children of this nation to this government that they will ensure that you have to pay more to take your sick child to a doctor, you will have to pay more to get your sick child a prescription, and your child will have less money at their local public school and less money invested in their local public hospital. This government is saying, 'We care about children, but only some children.' If you are a child of a middle-income family or a poorer family, well, guess what? you are on your own.

This budget fatally undermines fairness and decency in our society, and it is a budget that will damage the strength of our nation and the future of our economy. That is why those on this side of the chamber will fight every step of the way against the unfairness that is at the heart of this budget.

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (16:11): The age of hypocrisy is with us, and it will be here whilst this opposition is on the other side. The question of the age of entitlement has been raised by Treasurer Hockey, and it caused me to reflect on when the age of entitlement began. For those young enough and, perhaps, for those whose memories go back, the age of entitlement in this country commenced with then Prime Minister Gough Whitlam. It was during the Whitlam years, and from the Whitlam years, that in this country we saw the creation of, and then the maintenance of, the age of entitlement. We saw a Whitlam government that said to everybody—whether it was with money that they had, or with money that they borrowed, or, indeed, with money that they were to illegally borrow offshore from one Khemlani and his scaly mates—that the age of entitlement in this country started. I think it is absolutely amazing. It is good fortune, indeed, that Mr Whitlam lived long enough to see a government worse than his own. That government has been the last six years of the Rudd, followed by the Gillard, followed by the Rudd governments in this country.

When I speak of the age of hypocrisy, I find it absolutely amazing that the Leader of the Opposition in the Senate, in fact, the then finance minister of this country during a Labor government, could come in here and lead the speeches on behalf of the opposition about apparent vicious attacks on low- and middle-income Australians. The age of entitlement is over. It started with the Whitlam era and it is over with the Abbott and Hockey terms.

I can explain to you, for those who are not knowledgeable in this area, that in 2007 this Labor Party inherited no net debt in this country. We were probably the only developed country in the world that had no net debt. It had $20 billion to $30 billion on account of taxpayers' money. Mr Costello, after having paid back the $96 billion of Mr Keating's debt, then had some $6 billion of saved interest which he could spread into the Australian economy at the time. Where are we now in contrast to that no deficit, no debt and no interest being paid? Indeed, there was about $1 billion a year interest coming in. Isn't that amazing that an Australian government could ever have $1 billion of interest coming in?
Let us contrast that with what Labor left us in September last year. There was $190-plus billion of accumulated deficits and there was a debt rushing to $667 billion. But the figure that I want people to focus on is that we are currently paying interest alone of nearly $1 billion a month.

Let me put that into perspective for people: that is $30 million a day, every day of the year. What does it equate to? It costs $15 million to build the new primary school that is close to my office. A new primary school in Australia every 12 hours is what we are foregoing as a result of paying the debt. The new Fiona Stanley Hospital, a major teaching hospital in Perth, cost two months worth of interest on the debt—not repayment of the debt but interest on the debt. Imagine that, a new teaching hospital in every major city in this country every two months. But no, that money has been foregone as a result of the haphazardness, the hypocrisy and the poor management by the then Labor government. But worse than all that is the fact that what they squandered was borrowed money, money from lower-income families, money from middle-income families, money from high-income families and money from business. They borrowed against the future grandchildren of this country. And Senator Wong has the audacity to come in here this afternoon and talk about a vicious attack on low- and middle-income Australians when what the Labor government left us with was debt into the future and interest payments well and truly taking away from the very needs of all Australians, but particularly low- and middle-income Australians.

The opposition, together with the Greens, have in this place twice now refused to allow this government to do what it said it would do in a mandate to the Australian people and that was to get rid of the carbon tax. Which families are those most affected? The lower- and middle-income families, who would immediately have a $550 per year burden lifted from their shoulders in direct costs apart from all of the other indirect costs that we see coming through.

If you wish me to be specific about what this government did provide in the budget last night, Mr Kevin Andrews, the finest minister that this country has probably had—certainly in recent times in the social services area—delivered $19.3 billion to support families with the cost of living through family tax benefits. So we apparently have, from Senator Wong, a vicious attack on low incomes. There will be $19 billion for families through the family tax benefit—targeted, however, to those who actually need it. There will be $28.6 billion to maintain current childcare rebates and childcare benefits. The paid parental leave scheme paid for by business, not paid for by the tax payer, will help women have their children and spend that necessary time with them before they go back into the workforce. There will be a new $750 annual supplement for single parents for each child aged six to 12 years. Single parent families will receive $750. That will benefit some 86,000 families—through you, Mr Deputy President, to Senator Siewert, who has an interest in this.

The family tax benefit part B for children under six years of age will phase out but it will have a grandfathering clause. From 1 July 2015, we will see the primary earner threshold for families to be eligible for family tax benefit part B reduced from $150,000 to $100,000. It is a large family supplement that recognises those families with four or more children. Child care, as I mentioned, will receive $28.6 billion.

Recognising the importance of volunteerism in civil society in this country, the government has announced that we will abolish the Australian Charities and Not-for-profits Commission, a body that simply put red tape around the very necessary and voluntary work of so many
people in our communities. The government is investing $6 million over four years to re-establish the community business partnership to promote the culture of giving and volunteering, which we know is so often directed at low- and middle-income earners. For the aged, there will be strategies to keep people in their homes. Ninety-two per cent of aged people do not go in to aged care. Opportunities and funding will keep people in their homes where they want to be.

In the education space, there will be $20,000 loans for young people to do apprenticeships. We will increase the opportunities for young people to get access to universities through Commonwealth scholarships and the like. We see right through this budget the excellence of the Abbott government and we also see the fact that the age of entitlement is indeed complete—\(\text{(Time expired)}\)

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (16:20): Well, there is probably one thing that I agree with the government about—that is, that this budget has changed and will change society. But it will be for the worst, by far for the worst. I think Senator Back must have been reading different documents to the ones we have been reading. Oh yeah, single parents are going to get $750 extra—when you have taken $3,000 off them, when you have taken the indexation off them and when you have taken the education supplement, which, by the way, they just got back in March, off them. No, single parents will not be better off. I can tell you that, for sure.

This is after you dumped single parents onto Newstart. You have not fixed Newstart or raised it so that people can stop living in poverty. What this budget will do is drive young Australians, older Australians, single parents and the most vulnerable even deeper into poverty. Some of them are already struggling and living in poverty. This will drive far more people into poverty and drive those that are already in poverty into deep and persistent disadvantage, which has intergenerational impacts that will take a long time for these families to recover from.

These cuts take out over $12 billion from low-income earners—from families, pensioners, single parents and young people—and overshadow the other aspects of this budget. This is a fundamental change in our community to make it a much tougher community, to make these people suffer, because that is what this government is trying to do. It is almost as if they deliberately sat down and thought about how to make it the toughest for the most vulnerable members of our community. Let me tell you, you succeeded. How could you conscionably think that it is acceptable to take young people off Newstart for six months and give them no means of support? That will change our community. Those young people will have nothing. They will not be able to pay for any medicines, for going to the doctor, for any absolutely necessary things. What are they supposed to do? Just under 30, go back and live with mum and dad, come and go from mum and dad when they get back onto Work for the Dole? It is on top of your normal six-week waiting period, then you get six months waiting period with no payment, then you get Work for the Dole for up to 25 hours and then you are back off again, living on nothing. How do you pay for food? How do you pay your rent? How do you pay for the absolute necessities of life? You can't. That is a mean, cruel and harsh society. Is that your vision? That is what you are going to achieve. It is not a vision, by the way, that we, the Greens, share and we never, ever will.
How does this government think it is going to be building a better society? Who is doing the heavy lifting? It is the most vulnerable: older Australians, younger Australians, single parents and the vulnerable—that is who is doing the heavy lifting. As I said, single parents are copping cuts all over the place. Younger people will be far worse off. They will have the compulsory job readiness activities for those who can find work. It is almost as if the government is sitting there thinking, 'All these young people are just sitting there on the couch collecting their easy welfare.' Have they never seen how hard it is for young people to find work? They are not out of work because they want to be, they are out of work because there are no jobs. So just making them poorer and dropping them literally into poverty, because they will have no means of support, how do you think that is going to make it easy to find work? How do you think they are going to find clothes to even turn up for an interview? How do you think they are going to be employed if they have no proper attire to even go for an interview? I asked the Assistant Minister for Social Services, Senator Fifield, yesterday what evidence he had that living in poverty provides an extra incentive for people to find work. He could not provide one because there is none. The evidence shows that in fact dropping people into poverty provides yet another barrier to employment. These are demeaning policies. They are designed to have the deserving and the undeserving, and if you are unfortunate in this country, from now on you are the undeserving.

The government had made their promise to pensioners and now they think that Australians will be fooled to think that they have kept it. They have raised the retirement age by 2035. They will be changing indexation of the pension and it will make up to $100 difference a fortnight, but it will be after 2017. In the meantime there are lots of other little cuts that are already going to impact on older Australians.

This is cruel and it is mean—and I have not even started touching yet on the impacts on Aboriginal and Torres Strait Islander Australians. First off, the government have taken $534 million out of the budget because they are supposed to be getting the administration better. The problem here is that the budget conveniently does not say which programs are surviving and which programs are not. Aboriginal organisations have got a letter that says, 'Well, we have made these cuts and we are making a decision about which programs and contracts will continue for, say, six months or 12 months. Hang by the phone, folks, and we will tell you whether in less than two months time your organisation's work will continue, your contract will continue, or whether it will finish.' They have also cut funds completely into national congress, showing what complete disregard the self-professed Prime Minister for Aboriginal affairs has for self-determination and for elected Aboriginal people representing Aboriginal and Torres Strait Islander people. I say this to the government: if you have in fact genuinely found $534 million worth of savings, why aren't you putting that back into Aboriginal programs? We are nowhere near closing the gap and a lot of indicators are not being met. So we will not under this budget be meeting our close the gap commitments to close the gap within a generation. Again, this is mean, cruel and tricky to Aboriginal and Torres Strait Islander Australians. What I should also mention is that the cuts to Newstart, the changes to Newstart, the changes to Youth Allowance and the increased health care costs are going to disproportionately impact on Aboriginal and Torres Strait Islander people—on top of the cuts, a double whammy for Aboriginal and Torres Strait Islander people.
Senator Di Natale has already outlined today some of the impacts of the cuts to health care. The cost of basic medical care will throw up a huge challenge to the most vulnerable and those on income support and low incomes. For those living on $255 a week a hit of $7 for visiting a doctor is huge to your budget. I will stop here again and just say that when you are living on Newstart you are already living in poverty. Every single dollar counts. When you are living below the poverty line you think about every dollar you spend because you have an extremely low and fixed income.

Increasing the co-payments for prescription medicines for those on low incomes will also be a burden. We already know that many people on low incomes are not filling their prescriptions. In fact, when we had an inquiry into section 100 of the PBS process, the Senate Standing Committee on Community Affairs found that Aboriginal people would share prescriptions because they could make them stretch longer. Of course, that is completely unacceptable.

This is the sort of thing that we are going to see under this government. This is going to fundamentally change our community—and not for the better. It will be a darker, meaner, crueler future that the coalition and the Abbott government foresees for the most vulnerable members of our community. We the Greens will not be a part of it. We will not help this government do in the most vulnerable members of our community.

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (16:30): I rise on this matter of public importance debate that the Abbott government's budget is a vicious attack on low- and middle-income Australians. Across the nation this morning, low- and middle-income Australians woke up to the news that life was going to get a whole lot tougher for them. For some, life will be just a little bit tougher; for many, the savage cuts in this government's budget will make it near impossible to make ends meet. For these and others, the changes slated as 'tough measures' will drive them into poverty, drive them into homelessness, drive them into poor health and drive them out of engagement with their community.

This is a government that is happy to cast people aside in its pursuit of a society comprised of the haves and have-nots. The pain in this budget falls almost solely on low- and middle-income Australians, while not only sparing company owners but also giving them three tax cuts. While low- and middle-income Australians do the heavy lifting, Prime Minister Abbott is cutting the company tax rate, cutting the carbon tax paid by fewer than 500 of our biggest polluters and cutting the mining tax paid by a very small number of mining companies who make super profits.

For me, the simple question that we have to pose to ourselves is: what kind of a country do we want to live in? I believe our country is wealthy enough to ensure there is a quality set of public services to care for Australians at times of need and to give all Australians an opportunity to release their potential. By 'all' that means all of us. For this government, 'all of us' really only means low- and middle-income Australians. Those opposite obviously believe that low- and middle-income Australians have it far too easy—those on a pension, those on a minimum wage, those with a full-time job with two kids. This government obviously believes that these people have it easy relative to those 'battlers' with wealth in the millions. 'Battlers' whose tax concessions in areas like superannuation, property and fuel were left completely untouched.
What if young Australians who are battling the fiercest job market in memory cannot get a job? They will no longer get any unemployment benefits for six months, but they now have to pay at least $7 extra to go to a doctor, at least an extra $5 for medicine and a few extra dollars to put petrol in a car if they are lucky enough to have one. If they cannot find a job in their hometown, this government believes that they should just up and move to remote parts of the country—away from family, away from friends—to get a job. So they have to beg, borrow or steal the funds to move and then, when they get there, if times get tough and their business puts them off, what happens? What happens to them?

If they are under 30 this Abbott government will wipe their hands. 'Go and find another job,' they will say. 'You're lazy; go and do some more study,' they will say. And if no-one actually says it to these kids, it will be what is floating around in their minds. It will be what is eating away at them—"I owe mum 500 bucks; I owe nan two tanks of petrol; I owe my housemate two months rent.' They will think that as they try to get some sleep at night. For this government that is part of life. If your family cannot look after you—tough! If luck does not fall your way at every step—tough!

What does this budget mean for those in our community with a disability? Thank goodness, the government did not touch the National Disability Insurance Scheme fund—well, not yet. Mind you, there are no great plans for how the next stage of the rollout will progress. But, at the very minimum, the NDIS fund is intact. There has been no news on the plans to extend the Tasmanian trial to children aged zero to 14, but we waited with bated breath.

For those trying to survive on a disability support pension, there was plenty of news last night. The big news flash was that this Abbott government thinks most of these Australians are faking it. The government thinks that they can work in any job and they are just being lazy. Thousands of Australians with a disability are going to have the tortuous wait while they are reassessed for the disability support pension. Many of these young Australians will also be forced to complete compulsory work activities, compulsory activities that may be totally unrelated to the hopes and aspirations of the person—penalising someone based on their circumstances; penalising someone based on luck.

The Liberal government has also totally cut all specialised support for young Australians with a disability who are at school. Despite promising to deliver extra funding for students with disability, the Abbott government has, true to form, cut all dedicated support. On Monday I attended a briefing from the Australian Education Union and the organisation Children With Disability Australia, who were concerned that these promised programs would be cut in the budget. On Monday the CEO of Children With Disability Australia, Stephanie Gotlib, said to that forum:

A typical school experience for students with disability involves limited choice of school, discrimination, bullying, limited or no funding for support and resources, inadequately trained staff and having to contend with a culture of low expectations.

There was a bipartisan commitment to these programs. Both sides of politics have made commitments to young people with a disability, their families and their school communities. But this cruel budget shows that only one side of this place is prepared to do the heavy lifting to give an opportunity to all. Those opposite are prepared to cut these young people adrift, deprive them of the specialist support they need to fulfil their potential and condemn them to
a life on the disability support pension and a life of compulsory work activities instead of achieving their dreams.

And what of compulsory work activities? Well, this of course is code for an expanded work-for-the-dole scheme. My home region is north-west Tasmania, and the electorate of Braddon. From his first budget as the new minister, what was the headline measure that Mr Brett Whitely spruiked in today's local daily, The Advocate? Work for the dole! It is in their DNA. They do not want people to find meaningful work; they are happy for Australians who find themselves unemployed to waste away in a work-for-the-dole scheme. And I say 'waste away' because, time and time again, studies are released showing that work for the dole does not lead to long-term employment.

North-west Tasmania is one of the most disadvantaged regions in our country: high unemployment, low levels of education, high rates of chronic disease and high levels of dependency on Commonwealth payments. It is also home to some world-leading advanced manufacturers, and the most fertile soils and plentiful ocean in the country. The budget still lists the $100 million Tasmanian Jobs and Growth Plan announced by Labor last year as on track to be spent. The funds were allocated by the previous government to partner with businesses in the agricultural and manufacturing industries, and to create jobs in our region. But this government is drip-feeding the announcements, leaving many businesses uncertain of their status and leaving job seekers to see news of only work-for-the-dole schemes.

The region is also the gateway to and from Tasmania, with two of Tasmania's major ports located at Burnie and Devonport. Under Labor, expenditure on freight and passenger subsidies from Bass Strait was indexed and increased every year we were in government. The Abbott government has actually cut the funding for next financial year then frozen the pool over the forward estimates, despite Tasmania being an island state totally dependent on those subsidies.

This Liberal government, whose new member for Braddon promised to have a huge 'open for business' sign in the middle of Bass Strait, has actually cut around $30 million of Bass Strait subsidies over the next three years. Meanwhile, their increase to the petrol excise is not slated to fund a single kilometre of road in north-west Tasmania. No, the petrol excise increases paid by the people of Braddon will be used to fund some of the incentive payment to the state of Victoria to sell the Port of Melbourne. This cut to Bass Strait subsidies and the sale of the Port of Melbourne will be a double whammy on low- and middle-income families in north-west Tasmania. It is a simple fact that over 98 per cent of goods freighted in and out of Tasmania must go through the Port of Melbourne. Privatisation is likely to see an increase in fees as the new owner seeks to maximise profit. Those increased fees will flow through to Tasmanian consumers and businesses who, along with their increased petrol prices, will be paying more for almost everything they buy. The impact on Tasmania has been totally ignored in this ill-thought-out, privatisation-at-all-costs policy decision. In the lead-up to the federal election, the new member for Braddon said, time and time again, 'We are open for business.' Has he deceived those who voted for him? (Time expired)

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (16:40): I rise today to speak in the debate on the motion before the Senate on:

The Abbott Government's vicious attack on low and middle income Australians.
I think this debate is actually a debate between reality and fallacy. That is what the difference is between the coalition government and those opposite—the reality of the coalition fixing Labor's mess versus the fallacy of Labor believing there is nothing to fix; the reality of the coalition budget ensuring the fixing of the economic mess left by Labor versus the fallacy of Labor pretending that we are sticking it to low-income earners.

Labor claims to be the champion of low-income earners, but it appears to be unrequited love. None of the seven federal electorates with the lowest median weekly incomes elected a Labor MP at the last election. If the ALP's economic game plan was what low-income earners wanted in this country, then someone forgot to tell the low-income earners of Australia! If the false hopes and pipe dreams peddled by the previous government were what low-income earners wanted, then why did they reject the ALP and the Greens? That is because low-income earners in this country tend to be tough—they are tough people, and they knew that tough measures were required, and they understood how much $1 billion in interest payments could actually deliver for their communities. If I go through the ranks in the 2012 electoral divisions, No. 1 was Hinkler with a median income of $940; then there was Cowper with $970, Lyne with $978, the electorate of Page in New South Wales with $999, Wide Bay in Queensland with $1,008, Lyons in Tasmania with $1,029, and Mallee in Victoria with $1,069. They are the seven lowest median income level communities in our nation, and all of them have elected coalition members as their local representatives.

The MPI not only claims that there is a government attack on low-income earners; it claims that it is 'vicious', which means that it is with malicious intent, and that is the fallacy. The reality is that our only intent is for a stronger future, a sustainable future, a self-reliant future, for our nation.

Labor has some nerve, coming in here accusing us of attacking low-income earners! Let us have a look at the reality of how the last Labor government treated low-income earners. It was the last Labor government that put an extra 200,000 Australians on the dole. It was Labor that ripped off regional students with drastic cuts to youth allowance. It was Labor that sabotaged our border protection policies, resulting in more than 1,000 asylum seekers drowning at sea. It was Labor that slashed $700 million from payments to single parents, and it was a Labor MP who spent the union dues of the country's lowest-paid workers on champagne and prostitutes. That is the reality. It is easy to expose the fallacy of Labor's claim that the budget is characterised by malice against low-income earners. There is no tax increase on low-income earners, but a temporary debt levy—

**Senator Singh:** Mr Acting Deputy President, I rise on a point of order. Senator McKenzie is besmirching the name of Labor through the remarks she just made in her speech, and I ask her to withdraw them.

**The ACTING DEPUTY PRESIDENT (Senator Gallacher):** There is no point of order. You are debating the issue.

**Senator McKenzie:** There is no tax increase for low-income earners but a temporary debt levy on high-income workers, those who earn more than $180,000 a year, and it is a levy I am more than happy to pay. I also support the pay freeze for federal parliamentarians and Public Service department heads.
These are hardly vicious attacks on low- and middle-income Australia. This is an honest federal budget, something Australians have not been used to for awhile. We did not fiddle the figures and we did not put all the spending beyond the forward estimates. It is an authentic, realistic budget, compared to the fallacious surplus of the previous Labor government, promised 500 times but never delivered.

It is a tough budget; it had to be. Labor inherited a string of budget surpluses and no debt. In fact, $60 billion was in the bank and, in just six years of Labor government, that money was wasted. We ended up owing $667 billion. That is the reality. That is half the Defence budget. It is about what we spend on aged care and it is more than we spend on universities.

Senator Singh interjecting—

Senator McKENZIE: You do not like to hear it, but these are the facts. The coalition did not create this Labor mess, but we have a duty to fix it. The Australian people elected us to fix it. We are the firefighters and Labor are the arsonists. The Abbott-Truss government's Economic Action Strategy will reduce the Labor deficits by $44 billion over the forward estimates. If we do nothing to the budget, as Labor planned, then we will not be able to afford the welfare and the education, health and defence systems that we currently enjoy.

There is good news in the coalition budget for low- and middle-income Australians. The budget has plenty of good news, including infrastructure. Infrastructure benefits all Australians but particularly job seekers, as better infrastructure means more employment. We will invest $50 billion in infrastructure by 2019-20, strategically to grow our economic potential, to grow jobs.

The budget includes major reforms to education, particularly in higher education. The deregulation of the university system has allowed Labor to screen $200,000 arts degrees, but the fact is—

Opposition senators interjecting—

Senator McKENZIE: and you do not want to hear it—that the cost of some degrees will go up and the cost of some degrees will come down, depending on demand. Deregulation will allow our universities to compete with the best on the planet, by giving them the freedom to innovate. It has been welcomed by the vice-chancellors of the very universities that service the lowest income earners in the nation. The Regional Universities Network has come out in support of the education initiatives that this government handed down last night.

When we talk about health, how will the $7 co-payment for GPs visits affect low-income earners? We are actually making sure that there are safeguards within the budget to protect the most vulnerable. The Medicare safety net threshold will be adjusted to ensure that those most vulnerable in our society will still be able to access excellence in health care.

The fact is that the Medicare surcharge and the Medicare levy only funds 20 per cent of our Commonwealth healthcare spend. It is unsustainable. If we want to enjoy state-of-the-art X-rays, state-of-the-art diagnostic tests and world-class health delivery from our GP right throughout the hospital system, 20 per cent of our federal Commonwealth government collection is not going to cut it.

Older Australians will also be able to make a modest contribution. The pension age will rise to 70 but not for two decades. So that is time to prepare all you 35-year-olds to put some
money away. That is the reality and it is a fallacy to believe that the working population in the future will be able to support a huge number of Australians living upwards of age 100.

To conclude, the reality is that it is a tough but fair budget. However, Labor's claims that it unfairly targets low- and middle-income Australia is demonstrably false. Just get real! (Time expired)

Senator STEPHENS (New South Wales) (16:49): I do not know what is in the water today. You had better check, because it would seem that the briefing notes that the government senators have been provided with for today's debate were written last night over a few glasses of red!

Senator Whish-Wilson interjecting—

Senator STEPHENS: And a cigar or two! Let me just say one thing: Senator Back is here in the chamber, so this is a good place to start. The way that the budget affects people on high incomes of $200,000 or more—people like you and me—is that we are going to pay $400 a year extra tax. That is $7.60 a week. It would not even buy you a cheap bottle of red.

Consider the single parents who are out there, with two children, whose parenting payment has just been cut to the tune of $65 a week. Their weekly income is about $600 a week all up. What does that $65 a week get them? Guess what? It does not get them a doctor's appointment, it does not get them a visit to a GP, which in my home town currently costs $76, and it does not even get the kids their antibiotics prescription, because that will now cost $47 under the announcement made yesterday. So we have a family—a mum with kids, trying to decide what on earth to do. Will she consult Dr Google, and even that will not get her a prescription? She actually has to get to the doctor to get a prescription for her sick child. What will she do? Sixty-five dollars is more than some people pay for food for their whole family for a week. These are the kinds of decisions that last night's budget is actually going to force people to make. It is a disgrace. This is a budget that hurts so many people and helps so few.

Andrew Leigh, member for Fraser, wrote an article yesterday and it was very thought provoking:

In an environment when the three richest people in Australia have more wealth than the bottom one million, the government is cutting foreign aid and student support to make room for tax breaks to multi-millionaire superannuants and multinational firms.

That is the truth of it: this budget is a clear victory for Australia's one per cent.

If you think that people are not gutted by what they heard last night—and I have to say it was a gut-wrenching read, and I join with Senator Siewert in the rage that I felt—people know that single parents and parents with disabled children will be the hardest hit under the changes announced last night. One woman rang my office this morning in tears. This is what she said:

I have four kids and they all have disabilities. This budget, in every way, kills my children's future—their ability to get an education, their ability to be part of society, their ability to earn a living. They are penalised because they are disabled and because they are young.

As Senator Urquhart said, the whole commitment to supporting kids with disabilities and mainstreaming kids with disabilities in schools, worth $100 million a year, has gone.

If that were all that is gone, people could maybe manage. It is such a stress. On one hand we are trying to force people into work and on the other hand we are taking away every
mechanism there is to help them get work. Outside school hours care and child care are critical issues in this whole debate, and there was a $450 million cut last night. For Indigenous children and family centres, $78 million a year is gone. And $500 million a year has been taken out of the universal access to preschool program. The thresholds are frozen for the childcare benefit and for the childcare rebate the cap is frozen. That is fundamentally going to change the lives of Australian families.

Senator KROGER (Victoria—Chief Government Whip) (16:54): I would like to preface my remarks with a compliment, and that is that there are some on the other side of the chamber whom I respect highly. Senator Stephens is one of those, but I have to say that in this instance I could not disagree more fully with what she has said if I tried. One fundamental difference between the discussion and debate about the budget that was brought down last night is the very fact that the moral obligation for any government is to govern in the interests of all Australians, and you cannot do that by continuing to spend money that you do not have and ratcheting up the deficit for our future generations to pay. They will be the ones who will have to support the dreadful and appalling legacy unless it is dealt with. So, as I said, whilst I do respect—

Honourable senators interjecting—

Senator KROGER: I sat here quietly. I may not have agreed with what was said, but I did respect the rights of those on the other side of the chamber to be able to speak without being interrupted so that they could be heard. I am sure that they will afford me the same respect and opportunity.

It is a moral obligation for any government to provide an economic, fiscal and social structure that is sustainable—and 'sustainable' is the operative word here—and responsible, not only for today but, most importantly, for future generations. A responsible government should adjust its spending priorities by taking into account changing global circumstances, along with local influences that impinge on the national income. Sadly, I have to say, those changing circumstances that Australia has experienced were not accounted for or factored in in any considerations by the previous Rudd and Gillard governments. Not only were they not factored in with appropriate spending adjustments but, rather, they responded with a continued chequebook approach to every challenge that emerged. It was this irresponsibility of writing a cheque to deal with whatever circumstances arose that has dramatically accelerated the situation that every Australian is now faced with. To put it simply, Australia is living beyond its means—there is no other way to put it—and it is a situation that will significantly impede our national potential unless it is addressed. Opportunities and economic prosperity for decades are at stake.

I stand here today and commend the Abbott government and the Herculean efforts of the Treasurer, Mr Joe Hockey, and the finance minister, Senator Mathias Cormann, in not shirking the enormous responsibility but, rather, confronting it head-on so that future generations have an opportunity to thrive. The motion of the opposition, suggesting the government is attacking low- and middle-income earners, typically and predictably misses the point. Sending $900 cheques to 21,000 dead people, overseeing a disgraceful installation scheme that cost more to fix than the cost to implement it, not to mention the cost of dismantling effective—and I have to stress 'effective'—border protection measures, are sadly just small examples of the fiscally reckless behaviour of the former governments that we are
now responsibly seeking to fix. No government takes this on lightly and it is certainly no fun to be left with the legacy that the coalition has been left with. But I have to say that nations that are blessed with the resources that Australia enjoys should not find themselves in the situation where the projected national debt in a decade will rise to $667 billion if the previous government’s spending patterns continue. As we have heard, that amounts to a staggering $12 billion, or $1 billion every month, to service that debt. To put it into context, that is the same amount we spend on aged care and it is the same amount that we use to fund our universities. And this is what we would have been looking at if we had continued on the trajectory that was set by the former governments.

As a mother, but also as someone who is very, very responsive to those who walk in the door of my electorate office, I do not believe that we should be burdening our children and our future generations with a noose of debt that will strangle them for their lifetimes. And we are beholden to do something about it now. Whatever happened to the Australian ethos? Aussies were known for their fierce independence, their self-reliance, the drive to do one’s best and achieve one’s own potential while working hard to ensure that family and friends were looked after. What has happened to that ethos? What has it been replaced with in the last few years? Instead we seem to have developed—and we have heard it today—a patronising culture where individuals are being told the government knows best and is best placed to make decisions for them—whether it is about their health, their education or even telling them how to run a business.

The budgetary decisions have not been made lightly and they have not been easy. But what is missing here—and we have not heard it from the other side—is that it was the right thing to do. We all know we have to increase workforce participation to build a more prosperous economy while living within our means. We all know that we have an ageing demographic. We all know—certainly on this side—that the status quo cannot continue. I urge those on the opposite side—

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

COMMITTEES
Scrutiny of Bills Committee

Report

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (17:02): On behalf of Senator Polley, I present the 5th report of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table Scrutiny of Bills Alert Digest No 5, dated 2014.

Ordered that the report be printed.

Regulations and Ordinances Committee
Delegated Legislation Monitor

Public Works Committee
Report


Ordered that the report be printed.

Treaties Committee
Report

Senator KROGER (Victoria—Chief Government Whip) (17:03): On behalf of Senator Fawcett, I present the 139th report of the Joint Standing Committee on Treaties—'Treaties tabled on 11 December 2013; referred on 15 January; and tabled on 11 February 2014'—and move:

That the Senate take note of the report.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

Joint Committee of Public Accounts and Audit
Report

Senator SMITH (Western Australia) (17:04): On behalf of the Joint Committee of Public Accounts and Audit, I present report No. 441—'Inquiry into the Public Governance, Performance and Accountability Act 2013 Rules Development'—and move:

That the Senate take note of the report.

The PGPA Act and its accompanying rules will establish a new resource management framework for all Commonwealth bodies, replacing the Financial Management and Accountability Act 1997, otherwise known as the FMA Act, and the Commonwealth Authorities and Companies Act 1997, otherwise known as the CAC Act. The PGPA rules, as disallowable instruments, need to be developed and tabled in parliament before the substantive provisions of the PGPA Act come into effect on 1 July 2014. The terms of reference for the committee's inquiry were to consider the process for the development of the rules and the impact and purpose of the rules in the context of the broader public management reform agenda.

As set out in the report, the committee believes that stage 1 of the reform agenda, comprising the PGPA Act and the implementation of the first set of PGPA rules, establishes a solid foundation for efficiencies and the framework for cultural change in Commonwealth resource management in future years. The committee has made several recommendations in its report to assist implementation of the rules and further progress the public management reform agenda. Chapter 1 of the committee report provides an overview of the significance of the PGPA Act and associated rules in the context of the reform agenda. Chapter 2 of the report examines the consultation process for the rules development and the guidance and training being set in place to prepare agencies for the transition on 1 July 2014. The committee notes the initial consultation process undertaken by Finance for the development of the first set of PGPA rules and Finance's commitment to continue this process for the rules to
be implemented post 1 July. However, the committee has recommended that Finance review the guidance material for the rules to improve consistency. In chapter 3 of the report, the committee noted general support from inquiry participants for the majority of the draft rules required for the 1 July 2014 commencement of the PGPA act. Some 19 rules were considered by the committee as part of this inquiry. However, the committee has made a number of recommendations in response to some specific issues raised by stakeholders. Noting the concerns raised by the Auditor-General regarding the PGPA rule on improving commitments of relevant money, the committee has recommended that this rule be amended to explicitly place an obligation on the individual officials to consider proper use of public resources before approving commitments of relevant money, with this issue to also be included in the first independent review of the PGPA Act in three years time. The committee further recommended that the draft guidance material supporting this rule be amended to include discussion of the risks involved in officials approving aggregate expenditure proposals.

The committee also noted concerns raised by a number of stakeholders about the draft rule on audit committees, in particular regarding the exclusion of an organisation's chair from being a member of its audit committee. On balance, the committee did not recommend any change to this rule but rather recommended that Finance amend the draft guidance supporting the rule to emphasise that the chair of a Commonwealth body can attend audit committee meetings as an observer.

In terms of more general issues concerning the PGPA rules development, the committee noted the concerns raised by the Australian Public Service Commission about dual coverage of the PGPA Act and the Public Service Act 1999. In response, the committee has recommended that Finance and the Public Service Commission work together to draft the necessary amendments to the PGPA Act and/or Public Service Act to reduce potential confusion from this dual coverage, with amendment proposals to be put to the parliament as soon as practicable.

In support of a proposal made by the Australian National Audit Office, the committee has also recommended that an additional guiding principle emphasising the parliament's role be applied in developing the remaining elements of the Public Management Reform Agenda. The committee further recommended that Finance work to ensure that any necessary amendments are made to the Auditor-General Act 1997 to ensure that the Australian National Audit Office retains the audit powers under the new arrangements that the parliament would expect, including the power to audit the full planning, performance and accountability framework under the PGPA Act.

Chapter 4 of the report focuses on post 1 July 2014 issues concerning the rules development of the PGPA Act. The committee has recommended that Finance continue its consultation process with stakeholders on the rules required for post July. It has also recommended that Finance prepare a plan clearly outlining the anticipated dates for development of all future rules to ensure that there is sufficient time for public consultation and a committee inquiry before tabling in parliament and implementation.

In terms of the development of future rules under the PGPA Act and other elements of the reform agenda, the committee has noted in the report that it intends to conduct inquiries into both stages 2 and 3 of these proposed reforms. Key priority areas for stages 2 and 3 include a new risk framework, better facilitation of joined up government and partnership
arrangements, and an improved performance framework, with new PGPA rules for corporate plans, annual performance statements and annual reporting requirements. The rules relating to the performance framework are of particular interest, given the many recommendations of past Australian National Audit Office reports and committee inquiries concerning performance reporting by Commonwealth agencies.

In conclusion, if the benefits of this new framework are fully captured, this will modernise public sector financial management, making Australia once again world leading in this area and positioning us well for the decades ahead. I commend the report to the Senate.

Question agreed to.

Documents

Senator SMITH (Western Australia) (17:11): On behalf of the Joint Committee of Public Accounts and Audit, I table a statement on the draft estimates for the Australian National Audit Office and the Parliamentary Budget Office for 2014-15 and seek leave to incorporate the statement in Hansard.

Leave granted.

The statement read as follows—

STATEMENT BY THE JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT ON THE 2014-15 DRAFT ESTIMATES FOR THE AUSTRALIAN NATIONAL AUDIT OFFICE AND THE PARLIAMENTARY BUDGET OFFICE

As the committee responsible for parliamentary oversight of the Parliamentary Budget Office and the Australian National Audit Office, the Joint Committee of Public Accounts and Audit is required by legislation to consider the draft budget estimates for each office, with the Chair making recommendations to both Houses of Parliament. Therefore, on Budget day each year the Committee makes a statement on whether, in its opinion, these offices have been given sufficient funding to carry out their respective mandates.

In support of this process, both the PBO and the ANAO are empowered through their respective legislation to disclose their draft budget estimates to the JCPAA, which the Committee then considers in making any representations to Government and the two Houses.

Parliamentary Budget Office

In accordance with the Parliamentary Service Act 1999, the Committee received a copy of the PBO’s draft budget estimates in February 2014 and subsequently received an update from the Parliamentary Budget Officer identifying revisions to his estimates.

The PBO has had a small level of additional savings allocated to it due to an increase in the annual efficiency dividend, reducing its appropriation over the Budget and forward estimates by $162,000. The PBO's total revenue from Government will be $7,263 million in 2014-15.

As a small agency, the PBO has developed an efficient operating model through necessity. The Committee will be interested in the outcome of the ANAO review into the operations of the PBO due to be released in June. The Parliamentary Budget Officer has advised the JCPAA that the cumulative impact of the base level efficiency dividend will present management challenges to the PBO in the future.

Notwithstanding this, the Committee endorses the proposed budget for the Parliamentary Budget Office in 2014-15.
Australian National Audit Office

In accordance with the Public Accounts and Audit Committee Act 1951 and the Auditor-General Act 1997, the Committee received a copy of the Australian National Audit Office draft budget estimates in January 2014 and has subsequently received updates from the Auditor-General identifying revisions to his estimates.

The Committee has been advised that, in today's Budget, an increase in the efficiency dividend from 2.25% to 2.5% will be applied over the next three financial years. This will result in a further $1.67 million reduction to the ANAO's annual appropriation over the budget and forward estimates.

The Auditor-General has advised that the outlook over the forward estimates highlights a range of pressures as he seeks to maintain appropriately resourced financial statement and performance audit programs.

The increase in the efficiency dividend and other pressures noted in the ANAO's budget submission are expected to lead to a reduction in the ANAO's performance audit program in the forward years. It is expected that the number of performance audits conducted will reduce from 49 to 48 in 2015-16 and then down to 47 in 2016-17 and subsequent years.

The Committee remains strongly concerned about the level of funding uncertainty for the forward years. Last year, the Auditor-General foreshadowed the need to reduce his work program in the forward years if new funding was not provided in this year's budget, and this situation has now unfortunately come to pass.

Nevertheless, noting the continuing tight fiscal environment, the Committee endorses the proposed Budget for the Audit Office in 2014-15 and recommends its passage.

The Auditor-General and his office should be commended for managing to maintain their performance audit program over the last few years despite budget reductions. The ANAO is unable to reduce its financial statement audit work because of its mandatory nature and the need to adhere to professional standards. Further, proportional funding increases are also required as new entities are created.

The Committee notes that the Government's Commission of Audit has identified the ANAO's work in auditing agency Key Performance Indicators as playing an important role in focusing agencies' attention on measuring and improving the effectiveness of programs. The funding of this area remains an area of concern for the Committee. The ANAO has moved past the point of "doing more with less", to actively reducing the amount of scrutiny it provides to Parliament and the Australian people. Any further increase in (or expansion of) duties should be adequately funded by the Government.

The Committee recommends that steps be taken in next year's Budget to place the Audit Office on a more financially sustainable footing to ensure that its essential work in scrutinising Government processes and expenditure is properly resourced, and that funding be provided to ensure that there is no further reduction in the number of performance audits conducted.

Conclusion

In conclusion, the Committee remains concerned about the increasing pressures being placed on the PBO and the ANAO. Additional savings measures have been applied that further reduce the available funding, and are now at the point where they are having an effect on the scope of the ANAO's work program.

As independent authorities, the PBO and the ANAO need to be sufficiently funded to fulfil their legislative requirements and adequately support the Parliament.

The Committee appreciates the efforts of both the Parliamentary Budget Officer and the Auditor-General in maintaining strong working relationships across the Parliament, and particularly with this

CHAMBER
Committee. They have made themselves available for regular briefings and have been responsive to requests for information on a variety of topics. The Committee looks forward to continuing these productive relationships.

Dr Andrew Southcott MP Committee Chair
13 May 2014

Education and Employment Legislation Committee
Report


Ordered that the report be printed.

BILLS

Defence Legislation Amendment (Woomera Prohibited Area) Bill 2014
Report of Legislation Committee


Ordered that the report be printed.

Omnibus Repeal Day (Autumn 2014) Bill 2014
Report of Legislation Committee


Ordered that the report be printed.

COMMITTEES

Community Affairs References Committee
Additional Information

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:13): I present additional information received by the Community Affairs References Committee on its inquiry into Commonwealth funding and administration of mental health services.

Human Rights Committee
Report

Senator SMITH (Western Australia) (17:13): On behalf of the Parliamentary Joint Committee on Human Rights, I present the sixth report of the 44th Parliament of the committee on the examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011.
Ordered that the report be printed.

**Senator SMITH:** I move:

That the Senate take note of the report.

The Parliamentary Joint Committee on Human Rights' sixth report of the 44th Parliament covers 18 bills introduced in the period 24 to 27 March, three of which have been deferred for further consideration, and 175 legislative instruments received during the period 8 March to 25 April. The report also includes the committee's consideration of 10 responses to matters raised in previous committee reports.

Of the bills considered in this report, I note that the following bills are scheduled for debate during this week: the G20 (Safety and Security) Complementary Bill 2014, the Major Sporting Events (Indicia and Images) Protection Bill 2014 and the Tax Laws Amendment (2014 Measures No. 1) Bill 2014. The report outlines the committee's assessment of the compatibility of these bills with human rights, and I encourage my fellow senators to look at the committee's report to inform your deliberations on the merits of the proposed legislation.

I would like to draw senators' attention to one bill in this report which raises an issue of particular interest and relevance to the committee's task of assessing legislation for compatibility with human rights. The G20 (Safety and Security) Complementary Bill 2014 is intended to clarify the interaction between provisions of the G20 (Safety and Security) Act 2013 (Queensland) and existing Commonwealth legislation at the Brisbane Airport during the G20 summit. The G20 summit is to be held in Brisbane in November this year. In simple terms, the bill will allow the provisions of the Queensland act to apply in certain areas of Brisbane Airport in the lead-up to and during the G20 summit. Commonwealth laws that would otherwise apply in Brisbane Airport, which is a Commonwealth place, will effectively be rolled back.

As noted in the report, the application of the provisions of the Queensland law to areas of Brisbane Airport amounts to the enactment of Commonwealth law in these places. Given this, to the extent that those laws may engage and limit human rights, the report notes that any such laws should be subject to a human rights assessment in accordance with the committee's usual expectations for new legislation. As the statement of compatibility for the G20 bill did not provide an assessment of the provisions of the Queensland act that will be applied in the Commonwealth areas of Brisbane Airport, the committee has requested further information from the minister on this particular matter.

More generally, the committee notes that the G20 bill is a specific instance of the application of state laws to Commonwealth places as provided for by the Commonwealth Places (Application of Laws) Act 1970. This raises the wider question of how state laws that apply to Commonwealth places can be systemically assessed for compatibility with human rights. The committee has therefore determined that it will undertake a human rights assessment of the Commonwealth places act and has requested that the Minister for Justice prepare a statement of compatibility to facilitate the committee's consideration of that act. I encourage senators to consult the full discussion of the G20 bill in the report, which provides a more detailed account of the issues raised and the interesting background to the practice of applying state laws to Commonwealth places.
Finally, in relation to responses to matters previously raised by the committee, the report contains consideration of 10 such responses and the committee's concluding remarks on these matters. With these comments, I commend the committee's sixth report of the 44th Parliament to the Senate.

Senator CAMERON (New South Wales) (17:17): I would also like to comment on the report and acknowledge the work that the Parliamentary Joint Committee on Human Rights has done over the last period of time. One issue that Senator Smith has failed to report on to the chamber is one of the most important scrutinies that the committee undertook, and that was the scrutiny of the bill to re-establish the ABCC, the Building and Construction Industry (Improving Productivity) Bill 2013. That was, I think, a very good report, a report that was carried out on a non-partisan basis that clearly outlined all of the breaches of human rights under the proposed ABCC bill. I am just surprised that that was not noted in this report, because it was one of the clearest reports I have ever read by the Scrutiny of Bills Committee which clearly said there are significant human rights problems in imposing these limitations on the rights of building and construction workers in this country.

I can understand why the coalition do not want to raise that in this report, but I just thought that while I was here I would raise the issues that were raised in the report. The report was quite clear and unequivocal about the fact that the bill as outlined in the explanatory memorandum and as outlined by Senator Abetz, the proponent of and minister responsible for the bill, clearly breached the human rights of building and construction workers in this country. It clearly breached those rights. Yet we will have coalition senator after coalition senator ignore that position when they get up to support removing the human rights of building and construction workers in this country.

Not only did we have the Scrutiny of Bills Committee in the Senate come to the conclusion that workers' human rights were breached by the ABCC bill; the joint human rights committee of the House of Representatives also raised significant issues about breaches of human rights in this bill. So the Scrutiny of Bills Committee and the joint committee were as one on this—that the human rights of building and construction workers, ordinary Australians going out to do good work every day, day in, day out, were being breached by aspects of this bill. I am of the view that, given that these recommendations came up from the Scrutiny of Bills Committee, they should be mentioned here. I again say it was one of the most important discussions and reports that that committee undertook.

I am aware that, when the committee looked at Senator Abetz's explanatory memorandum to the bill and the justification for taking human rights away from building and construction workers, they said it did not meet the test for removing rights from building and construction workers in this country. That is why the committee I was involved in formed the view that the arguments being put forward by the Scrutiny of Bills Committee should be given some weight in our report, and that we should be asking Senator Abetz to have a look at this critique—this very strong criticism—of the removal of human rights by the ABCC. Senator Abetz was dismissive in terms of his analysis of why workers' freedom of association should be removed—why their rights to act in the way that every worker around the rest of the country, in different industries, should be allowed to act under the appropriate legislation. I want to thank the Scrutiny of Bills Committee for treating the ABCC bill seriously—for going
through, in a very professional and detailed manner, the issues involved in removing human rights from ordinary Australians via the ABCC bill.

I do not think it is appropriate that workers' rights should be removed in this country on some fallacious argument that there is illegality going on in the industry. When the references committee of the workplace relations committee looked at this issue, we received evidence from the Federal Police, the Australian Crime Commission and the Victorian police that they had no concerns of widespread corruption in the building and construction industry. That was one of the reasons that was being put forward: that there was widespread corruption in the building and construction industry. That was being used as an argument by Senator Abetz and those on the other side for why they should remove workers' rights in the building and construction industry; for why not just their industrial rights but their human rights—rights that we have signed on to through international conventions—should be removed.

It was an excellent report from the Scrutiny of Bills Committee. It was matched by the report from the Joint Committee on Human Rights in the lower house saying: 'This should not happen; this should not be done.' It will be interesting to see the submissions of the senators who raised all these issues in the Scrutiny of Bills Committee report, either in support of the bill or against the bill, when the ABCC bill comes to the Senate. When they sat down, they came to the conclusion that the bill does not meet the test for removing human rights; so the coalition senators on the Scrutiny of Bills Committee have, in my view, a responsibility to stand up for their findings. I would expect them in their contributions to the debate on a bill that takes away the rights of building workers in this country—not only their industrial rights but their human rights—to stand up and say what they found when they scrutinised that bill, because they scrutinised the bill and found it wanting. They found it wanting in a range of areas in relation to building workers' human rights.

I am very pleased to have been, fortunately, in the chamber when the report came forward from the Scrutiny of Bills Committee. Again, I am a bit disappointed that the Scrutiny of Bills Committee report did not contain some, or at least a little, of the critique made about a major bill that affects the human rights of industrial workers in this country. I will be interested to see how those senators behave on the floor of the Senate when they are dealing with the ABCC bill, when it comes to the floor of the Senate, given they have said it removes human rights.

It is fortunate I was here to bring the chamber's attention to these terrible removals of human rights under the ABCC bill. I will certainly go through the views of the Scrutiny of Bills Committee in detail, and I will also go through the views of the Joint Committee on Human Rights when the bill comes before the parliament; but this is an important point and I could not miss the opportunity to raise the issue of the removal of human rights from Australian workers by the coalition.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education) (17:28): I could not let that contribution from Senator Cameron go. I assume that he just ran out of time making that contribution, because there is a list of breaches of human rights related to the construction sector that I have not heard from Senator Cameron.

I did not hear him complain about the breach of privacy, allegedly undertaken by an official from the CFMEU, relating to the release of the superannuation data of members of Cbus to the CFMEU so that they could have a little visit from CFMEU members and
experience some of their rather unique recruiting strategies. I did not hear Senator Cameron talk about the right to privacy that those members of Cbus have. I did not hear Senator Cameron talk about the right to be free from physical harm—physical harm the workers at the Grocon construction site were put in danger of by the CFMEU and by the senator's famed friends in the construction union. I did not hear Senator Cameron talk about how people should be allowed to go about their legal course of business without the threats, intimidation, violence and criminality of the union movement—and particularly of the CFMEU—as occurred in Melbourne and as the Victorian Supreme Court found when it found the CFMEU guilty of criminal contempt.

Senator Cameron: Mr Acting Deputy President, I rise on a point of order. I draw your attention to the issue of relevance here. The debate that is before the floor is the Scrutiny of Bills Committee and the removal of human rights, and the Senator has gone nowhere near that.

The ACTING DEPUTY PRESIDENT (Senator Gallacher): There is no point of order.

Senator RYAN: Thank you, Mr Acting Deputy President. I just assumed Senator Cameron ran out of time. But then we do not hear, and we have not heard from Senator Cameron, about the rights of people to go to work, to look at a picket line, to hear from people why they should not cross that picket line, and to then cross the picket line and choose to go to work. Because a picket line, of course, is not legally a physical obstruction. It is a protest. And there is no power in law whatsoever for members of a union, or any assembly of people, to try and physically block access to and egress from part of this country. But Senator Cameron does not care about that.

We do not hear Senator Cameron's concerns about the human rights of people involved in the construction industry who have to have personal security guards at their homes and at their workplaces because of the threats of violence from members associated with the CFMEU. We do not hear about the human rights of those people who want to go about their business—running a small business, or happy employees—who are forced to pay and forced to sign up to CFMEU contracts, because Senator Cameron falls for that great Labor shibboleth: the idea that somehow, by associating with some other people and calling yourself a union, you have more rights than any other assembly of people in this country. Senator Cameron's plaintive cries for human rights, Madam Acting Deputy President, are nothing short of empty screeching for an interest group that funds and owns the Labor Party; the shareholders, the owners and the chief racketeers of the modern-day Labor Party. No-one should ever listen to a member of the party opposite, or indeed to a member of the Greens, talk about human rights until those senators stand in this place and condemn the violence that occurs in Victorian workplaces—violence that has been held by a court to be a criminal contempt by the CFMEU. But no, we do not hear about that—because both the Greens and the Labor Party are in hock to the union movement, who write them cheques. They have no concerns about the human rights of everyday Australians and no concerns about the rights of small-business owners to go about their business, and to be free from threats and violence. They are nothing but empty phrases.

Senator RHIANNON (New South Wales) (17:32): The last speaker has told us what he has not heard from Labor and the Greens; but let us remember what we have not heard from the coalition. They have again brought forward the ABCC, the building and construction
commission, which they now want to resurrect—like a dead animal that smells and stinks—but which brings more problems to people who are just trying to go about their lives and get a decent standard of living—and return alive from work. That is what you will not hear from this government. The Australian Building and Construction Commission, which came in in 2005, has caused massive problems. Its intent was to outlaw unionism.

We know that union sites are safe sites. What you will never hear from the coalition, and what you will never hear from Senator Ryan, is them actually addressing this issue. Once that commission came into existence, there was about a 95 per cent increase in issues of injuries and deaths on building sites, which are incredibly dangerous. If Senator Ryan is serious about cleaning up the industry, why doesn't he address the issue of dodgy contractors; contractors that are avoiding so much—not just how they should be paying their taxes but also how they should be following occupational health and safety laws? You would never hear a mention about that issue of safety from Senator Ryan or his colleagues. Nor do they address what this building and construction commission did: making building workers come under a code of law that is harsher than the laws which murderers and a whole range of criminals face, in terms of the secrecy provisions and the operation of the laws.

The double standards that we have seen again from Senator Ryan here in this place really expose what those opposite are up to, and why they want to bring back in the ABCC: to de-unionise work sites. What their constituency wants is to de-unionise work sites. Why do they want it? So they can make more profits. When you have to abide by safety standards; when you have an organised workforce; when you have unions that have a right to go on the job; then you have to work to achieve a safer building site. For many of the companies that the coalition works with, they are companies who are getting all those developer donations that are causing them so much embarrassment in New South Wales—and it is starting to move into the federal coalition—and those are the links that we need to expose here. That is why the Australian Building and Construction Commission came about. It has got so much to do with those developer donations, and with the coalition delivering for their side of politics—and it results in people losing their lives. That is what you will not hear Senator Ryan speak about, Madam Deputy Speaker.

Question agreed to.

Foreign Affairs, Defence and Trade Legislation Committee

Report

Senator EGGLESTON (Western Australia) (17:35): I present the report of the Foreign Affairs, Defence and Trade Legislation Committee on the implementation of the Defence Trade Controls legislation.

Ordered that the report be printed.

Senator EGGLESTON: I move:

That the Senate take note of the report.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.
DOCSUMENTS

Abbot Point

Order for the Production of Documents

Senator Ryan (Victoria—Parliamentary Secretary to the Minister for Education) (17:37): On behalf of Senator Cormann, I table documents relating to the order for the production of documents concerning dredging at Abbot Point.

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.

Departmental and Agency Appointments and Vacancies

Tabling

The Clerk: Letters of advice are tabled in response to the continuing order relating to departmental and agency appointments, vacancies and grants.

COMMITTEES

Public Works Committee

Membership

Senator Ryan (Victoria—Parliamentary Secretary to the Minister for Education) (17:38): by leave—I move:

That Senator Boyce be appointed as a member of the Parliamentary Standing Committee on Public Works.

Question agreed to.

BILLS

Major Sporting Events (Indicia and Images) Protection Bill 2014

Tax Laws Amendment (2014 Measures No. 1) Bill 2014

First Reading

Bills received from the House of Representatives.

Senator Ryan (Victoria—Parliamentary Secretary to the Minister for Education) (17:40): I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have the bills listed separately on the Notice Paper. I move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator Ryan (Victoria—Parliamentary Secretary to the Minister for Education) (17:40): I move:

That these bills be now read a second time.
I seek leave to have the second reading speeches incorporated in *Hansard*.

Leave granted.

*The speeches read as follows—*

**MAJOR SPORTING EVENTS (INDICIA AND IMAGES) PROTECTION BILL 2014**

The purpose of the Bill is to protect major sporting event sponsorship and licensing revenue from being undermined by unauthorised commercial use of event indicia and images for the following events:

- Asian Football Confederation (AFC) Asian Cup 2015;
- International Cricket Council (ICC) Cricket World Cup 2015; and
- Gold Coast 2018 Commonwealth Games.

This Bill is consistent with the approach the Australian Government took when it legislated to protect the indicia and images for the Sydney Olympics and Melbourne Commonwealth Games through the Sydney 2000 Games (Indicia and Images) Protection Act 1996 (Sydney Games Act) and the Melbourne 2006 Commonwealth Games (Indicia and Images) Protection Act 2005 (Melbourne 2006 Act) respectively.

Australia has a reputation for, and track record in, hosting highly successful major sporting events, with the Australian Government playing a critical role in facilitating the appropriate environment that makes such success possible.

The three events that are the focus of this Bill will, between them, see over 60 countries participating on Australian shores with a much broader global reach due to their profile and nature. They represent the pinnacle of competition and include some of the world's best football players, cricketers and athletes.

For Australia, the profiles of these events present a great opportunity to showcase our country from a tourism, trade and event delivery perspective. For event owners and organisers this profile provides the opportunity to showcase their sports, build a legacy and attract commercial partners that will invest in the event and their sport into the future.

This latter point is particularly important as event owners and organisers rely heavily on revenue gleaned from television rights, ticket sales, sponsorship and licensing to ensure their event can be delivered and continues to be an attractive and viable financial proposition to future host countries.

It is this profile and these commercial realities that necessitate the sorts of protections that are proposed in this Bill. Major events have long been targets of those that would seek to create an impression of association with, or sponsorship of, the event in order to achieve commercial gain without having purchased the rights to claim that association. This act, known as "ambush marketing by association", has the capacity to diminish the value of sponsorship, reduce the incentive for organisations to enter into commercial arrangements with events, and reduce overall event revenue.

The Bill will protect the use of a range of words and expressions associated with each major sporting event such as "Asian Cup 2015", "Cricket World Cup 2015" and "Gold Coast 2018 Commonwealth Games", from ambush marketing and unlicensed commercial use in the lead-up to and during the each major sporting event. Variants of the event names and known abbreviations will also be protected such as, "Asian Cup", "CWC 2015", "GC2018".

While it is important to protect sponsors from ambush marketing, the rights of the community to freedom of expression must also be respected, particularly in relation to words that have passed into common usage. A pragmatic approach has been taken with generic words and references such as "cricket", "football" and "Commonwealth" excluded from any list.
In addition to protecting particular words, numbers and expressions, the Bill also provides protection to certain images that suggest, or are likely to suggest, a connection with these events. The manner in which these indicia and images will be defined and protected by the Bill is consistent with the approach used under the Sydney Games Act and Melbourne 2006 Act.

An important feature of this Bill is a 'commercial benefit' test that applies to the use of material. Restrictions will apply only to unlicensed commercial use of the protected indicia and images. The aim is to prevent an unauthorised user from applying the protected indicia and images to suggest a formal association with the events.

The Australian Government supports state, territory and local governments engaging their local communities, including the local business community, in the festival and city dressing that will surround these events which may involve the use of indicia and images.

The Bill also recognises arrangements that may already be in place between host jurisdictions and the respective organising committees in relation to the use of indicia and images. The intention is for such arrangements to continue and not be affected by the proposed legislation. Further, it is intended to be complementary to existing or proposed legislation in states and territories that may be put in place in relation to these events.

The Bill also contains a number of exceptions allowing:

- for the continued operation of rights and liabilities under the Trade Marks Act 1995, Design Act 2003 and Copyright Act 1968;
- the provision of information, criticism and review of the events, such as in newspapers, magazines and broadcasts; and
- use for the reasonable needs of sporting bodies in relation to fundraising and promotion.

In line with the Australian Government's deregulation agenda, it is made clear in the Bill that the legislation is not intended to increase the burden on business or affect their everyday operations. It is recognised that some individuals and corporations, such as the event owners and sponsors already use the indicia prescribed in the legislation in conjunction with their goods and services. The Bill fully protects the rights of the existing holders to use indicia to carry out their business functions.

Just as the Melbourne 2006 Act permitted the use of Melbourne 2006 indicia or images solely for the purposes of providing information, or for the purposes of criticism or review, so too does this Bill. The Bill therefore permits the provision of information for the purposes of reporting news and presentation of current affairs, the factual description of goods or services provided by a business (such as stating that accommodation is available at a hotel that is located near an event venue), or factual statements by an athlete to promote their own achievements.

The Government also recognises that the reasonable needs of sporting bodies in relation to fundraising for and promotion of their preparation of athletes and teams for these events should be allowed to continue. Those reasonable needs could involve use of the indicia or images for the purposes of providing factual information. The Bill is not intended to affect this type of use.

Another feature of the Bill establishes a Register to outline the authorised users of each event's indicia and images. These Registers will be published and provides consumers with confidence that goods and services purchased are official. Authorising bodies, the owners of the intellectual property are responsible for keeping account of authorised persons and entering and updating relevant details into the Register. A person whose name appears on the Register constitutes an authorised person of indicia and images for the event specified.

Similar to provisions contained in the Melbourne 2006 Act, this Bill also provides various remedies to the authorising bodies and authorised persons to enforce their rights in relation to the protected indicia and images. It will be the authorising body or an authorised person who may bring an action against an unauthorised user, this will not be the responsibility of the Government. The remedies
available under the Bill include injunctions, damages and corrective advertising. The courts also have the discretion to provide remedies under any law (either State, Territory or Commonwealth) and most notably, Trade Marks Act 1995, Copyright Act 1968 and the Competition and Consumer Act 2010 in relation to engaging in conduct that is misleading or deceptive.

The Bill also includes appropriate measures to limit the possibility of the importation of goods which seek to ambush each event's marketing. The Australian Customs and Border Protection Service (Customs) will be able to carry out the measures of this legislation relating to the monitoring of imported goods at Australia's borders. This Bill allows Customs to perform functions similar to those it undertook at the time of the Melbourne 2006 Commonwealth Games by seizing goods marked with unauthorised indicia and images at Australia's borders. The border protection component of this bill is consistent with the Trade Marks Act 1995 and the Copyright Act 1968 as amended by the Intellectual Property Laws Amendment (Raising the Bar) Act 2012 to ensure powers for Customs officers are aligned in relation to the seizure of unauthorised goods at the border, thus avoiding confusion for business, consumers and those administering the measures.

Each schedule of the Bill will cease to have effect within one year after the completion of each major sporting event as prescribed in the Bill.

TAX LAWS AMENDMENT (2014 MEASURES NO. 1) BILL 2014

This Bill amends various taxation laws to implement a range of improvements to Australia’s tax laws.

Schedule 1 will improve the Farm Management Deposit scheme by amending the Banking Act 1959 and Income Tax Assessment Act 1997.

Farm Management Deposits allow farmers to save some of their income in good years without it being taxed, and then withdraw it in leaner years and pay tax on it when their marginal tax rate is lower. They are a financial risk management tool to help farmers protect themselves against the large income fluctuations that are often typical of primary production.

This legislation will make several improvements to the scheme to make it easier for farmers to use Farm Management Deposits.

First, farmers will be able to earn more income from non primary production sources before they are prevented from creating new Farm Management Deposits. The non primary production income ceiling will be raised from $65,000 to $100,000.

Second, individuals will be able to consolidate Farm Management Deposits across financial institutions without adverse tax consequences. If a farmer chooses to combine multiple Farm Management Deposits that they have held for at least 12 months into a single account, the amounts will not be included in their assessable income for that year, nor affect their entitlement to make new Farm Management Deposits in that year.

Finally, Farm Management Deposits will be excluded from the unclaimed money provisions in the Banking Act 1959, to ensure that these accounts, which are intended to facilitate long term savings, are not inadvertently paid to the Commonwealth as a result of a period of inactivity.

Schedule 2 to this Bill amends the GST law to allow taxpayers to determine whether they are entitled to a refund by reference to objective conditions, rather than having to rely on the Commissioner to exercise the discretion to refund an excess amount of GST.

The measure provides additional clarity for entities which may have overpaid GST and are seeking to claim refunds. The measure also aims to prevent taxpayers from receiving a windfall gain of overpaid GST and encourages suppliers to refund their customers any overpaid GST.

Schedule 2 also addresses a gap in the existing law relating to refunds associated with miscalculations of GST payable on a supply. Recently the Federal Court found that the restriction on
paying a refund does not apply where GST is overpaid because of a miscalculation. The amendments provide that the refund provisions apply to overpayments of GST, irrespective of whether the overpayment arises as a result of a mischaracterisation or miscalculation of the GST payable.

The amendments apply only on a prospective basis from the date of commencement in order to minimise the uncertainty and compliance costs involved in the application of the amendments on a retrospective basis.

Schedule 2 also amends the Taxation Administration Act 1953 to give taxpayers review rights, both in relation to the Commissioner’s discretion to refund in exceptional circumstances, as well as to restore these rights under the existing refund provisions as a consequence of a recent decision of the Administrative Appeals Tribunal.

Full details of these measures are contained in the explanatory memorandum.

Debate adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

**BILLS**

Farm Household Support Bill 2014

Farm Household Support (Consequential and Transitional Provisions) Bill 2014

Social Services and Other Legislation Amendment Bill 2013

Quarantine Charges (Collection) Bill 2014

Quarantine Charges (Imposition—Customs) Bill 2014

Quarantine Charges (Imposition—Excise) Bill 2014

Quarantine Charges (Imposition—General) Bill 2014

Appropriation Bill (No. 3) 2013-2014

Appropriation Bill (No. 4) 2013-2014

Appropriation (Parliamentary Departments) Bill (No. 2) 2013-2014

Defence Force Retirement Benefits Legislation Amendment (Fair Indexation) Bill 2014

Export Market Development Grants Amendment Bill 2014

Marriage (Celebrant Registration Charge) Bill 2014

Marriage Amendment (Celebrant Administration and Fees) Bill 2014

Private Health Insurance Legislation Amendment Bill 2013

Civil Aviation Amendment (CASA Board) Bill 2014

Assent

Messages from the Governor-General reported informing the Senate of assent to the bills.
Wednesday, 14 May 2014

SENATE

COMMITTEES

Education and Employment References Committee

Report

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (17:41): Pursuant to order and at the request of the Chair of the Education and Employment References Committee, I present the report on the technical and further education system, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator BILYK: by leave—I move:

That the Senate take note of the report.

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (17:42): As the deputy chair of the committee, I wish to advise the chamber that the coalition senators have dissented from elements of the TAFE funding inquiry and express my appreciation to all those who were involved, including the secretariat and my colleague Senator McKenzie who so ably worked with us on this.

There is no doubt at all that there needs to be an improvement in the overall recognition of standards in the technical and further education of vocational education sector across Australia. I think there would be general acceptance of a move towards standards that are accepted and equivalent across state and territory boundaries. They would be beneficial to employers, employees and, of course, the students, because we have such a freedom of movement now and we are going to see that far more into the future as we try to bring this economy back to a level of acceptability to the Australian and wider community.

That will definitely require a circumstance in the vocational education and training area where we are going to ensure that standards remain high, from a student's point of view, including—but not exclusively—international students, who increasingly see value in coming to our country.

Where the coalition senators dissent from the majority report is in a number of sectors, and I wish to highlight them. The first is that whilst the Commonwealth government does provide and has a great interest in the vocational education sector, it is a fact and will remain the fact that the actual delivery of VET-type training is and should remain the province of the states and the territories.

We actually saw evidence of that in our hearings in the different areas of Australia. In Victoria we saw a heavy emphasis in the manufacturing sector because it is heavily a manufacturing state. In Western Australia we saw emphasis reflecting the industries which are active in that state. In Wollongong we saw a slight change of emphasis to students with disabilities. How interesting that particular hearing was to all of us.

The coalition senators, in presenting our dissenting report, wish to make very clear the fact that TAFE delivery, vocational education and training, is a state and territory responsibility. There should not be a role for the federal government to want to take control over that. Those states who wish to participate more fully should be encouraged to do so. But at the same time we do believe there needs to be a consistency of standards and transferability of qualifications across state and territory boundaries.
Vocational education is education with the purpose of equipping a person with the necessary skills to do a job. Coalition senators—and I have said this in the report—support a strong, vibrant, dynamic, financially sustainable vocational education system. Again, this is where the coalition senators dissent from the majority report. The majority report tends to emphasise that those most capable and most competent to deliver vocational education and training are exclusively in the TAFE sector, the government controlled sector. It is the case that it was the decision of the states to move well beyond the TAFE system of delivery towards a competitive system involving the private sector. That has achieved enormous gains for students, particularly, and into the future it will for employers. So that is an area of difference between the majority report and the dissenting report as delivered by Senator McKenzie and me.

We were disappointed the majority report did not give adequate air time or space to the essential role of industry. It is industry, in the main, that will provide the career opportunities for VET students on completion of their training. I believe Senator McKenzie will want to expand further on that involvement by industry in the provision of services. If industry, having the role that it does, wants that choice of a private sector service provider as well as a TAFE based service provider, all to the good. We heard some very interesting evidence around Australia on the need for liaison with industry in that context.

The issue of who drives skills development is crucial to the future role of TAFE, and we recognise it as the pre-eminent provider of vocational education and training in this country. Employers have told us that, as we all know, they rely on TAFE to provide consistent high-quality training and to ensure that trainees enter the workplace—particularly importantly—work ready. There are three areas that we identified in this report for this to happen, the first being skills development driven by employers and industries that will employ the graduates at the end of their training. The second is that TAFEs must respond to and liaise with employers and industry to ensure that the training provided is of the type and standard required by employers. Third, and most importantly, TAFEs have to be financially viable and sustainable in that competitive environment. We must never lose sight of the fact that each of those three criteria are driving towards one objective: the competence and capacity of students to come into the workplace work ready, safety ready, and willing and competent to go to the next stage of their careers.

The majority report concentrated on funding being reduced to TAFEs or making public funding for the VET sector contestable. The coalition senators are of the view that the system needs to involve a mix of contributors, including government, industry and students. That was certainly highlighted by the Victorian government's Vocational education and training market 2013 highlights report. To quote:

Over the past year, we’ve seen 10,000 more enrolments in construction, nearly 10,000 more people training in healthcare and 8,000 more in transport—all critical areas to the Victorian economy.
I wish to emphasise that point again. In the few moments left to me I make reference to the recommendation by the coalition senators that the states and territories take steps to each ensure their TAFEs are given the capacity to negotiate industrial agreements, to ensure that TAFEs operate on an equal footing with other vocational education providers. They must not be left behind. They must not be shackled in this new world of vocational education and training.
We amend a recommendation from the majority report that the Commonwealth work through its COAG partners on the National Partnership Agreement on Skills Reform to ensure that all states and territories do provide clear statements of policy direction on the role of TAFE in their jurisdiction, in consultation with effective industries to ensure a quality education for students—coming back to that point of emphasis. Again, we recommend the amendment of a majority report recommendation that the committee recommends that COAG work collaboratively to develop a national workforce strategy for TAFE that addresses the level and quality of the teaching qualifications, an area that certainly was the subject of abundant discussion. We reject the recommendations that point to TAFE, pretty well exclusively, returning to being the only provider, and we certainly recommend that for quality vocational education outcomes a mix of contributors is required, that being government, industry and students.

Senator RHIANNON (New South Wales) (17:52): This was a most important inquiry with significant findings. I would like to thank the chair of the Education and Employment References Committee, all the senators who worked on this inquiry and certainly all the staff that did such outstanding work in organising our many visits across the country and assisting with the report in all its detail. I also want to thank all colleagues in the Senate, because there was unanimous agreement when I put this up last November that this inquiry should go ahead.

I remember at the time, because we were coming into the end of the year, meeting and talking with a number of young people who are thinking about their future and their plans for 2014. Many of them were looking towards courses at TAFE. But equally they spoke of their concerns and their uncertainty because of what they could see was happening to TAFE in many jurisdictions. It certainly underlined again the need for this inquiry.

It is clear from the evidence presented to the committee that the TAFE sector has been under enormous pressure following decisions to open up government funding to competition from private providers. This was certainly a theme that came through in so many of the hearings. These themes of concern were around continuing cuts in government funding to the TAFE sector, and that has occurred both under successive Labor and coalition governments. Unfortunately, the contestability model that Labor pushed through in those COAG reforms has really allowed so many of the destructive developments that we are seeing play out at a state level.

Other concerns were to do with the diversion of substantial public funding from TAFE to private for-profit RTOs under the contestability model. This has resulted in underfunding TAFE institute in many states, with major losses of staff, resources and infrastructure. The issue of casualisation was something that I found very disturbing in terms of the impact it has on the individuals, because of their uncertainty in terms of their future employment and their workplace conditions but also the quality of the education. I am in no way reflecting on the teachers there, but when you have a highly casualised workforce the quality of the work that comes through is certainly under a cloud.

But what we saw in so much of the evidence with the funding cuts was the enormous impact it is having on the lives of individuals, whether they be staff or students or people who really hope that they could go to TAFE but now often find that that is not possible. The funding cuts are also affecting, as I mentioned, the education standards and also the very fabric of our society. I do not say that lightly. I really learned so much of this inquiry in terms
of the huge contribution that TAFE makes to our society in helping bring people back into having confidence to be part of society, gaining training and in many cases then going on to employment. I did find it a great irony, because we are hearing so much from the coalition government about people getting back into the workforce and at the same time they are undermining to such a huge degree an organisation—our TAFE system—which has this myriad of pathways bringing people literally back into society. We heard examples, met and heard evidence from people who were feeling so insecure that in some cases had not left their homes for years and years because of disabilities suffered at work and because of various circumstances that had arisen with their own wellbeing. But through either being introduced to TAFE or meeting TAFE teachers accidentally they were brought back. In one case a man met a TAFE staff person through his disabled child and that person recognised that this man could benefit enormously from TAFE. He went on to not only gain an education but to become a TAFE teacher in graphic design. The stories were just so impressive. That is what I mean when I talk about the damage that is being done to the very fabric of our society.

We heard a great deal of evidence that the affordable, quality vocational training and further education to individuals, communities and industries across Australia is being compromised or even, in many cases, made not possible. Serious concerns were raised about these accessible pathways. Again I really want to emphasise how impressive the evidence was on this issue from both staff and students. This came from so many of the sites that we visited—from Perth to Wollongong. It was very comprehensive inquiry and the evidence from so many people was so beneficial to our considerations.

Other issues that came up strongly were the increase in student fees and the imposition of limited once-only publicly funded training entitlements for each student and how that has put qualifications out of the reach of many students. Then, as I said, there was the evidence about people who come from disadvantaged backgrounds, people with disabilities and how they had benefited so much. So many of the staff who teach these people with disabilities, teach these people with special needs, set out the difficulties under the changes that are coming through at a state level—again, allowed because of the contestability model and the weakness of the regime that we have federally.

I take the example of my home state, New South Wales, the so-called 'smart and skilled' approach to vocational education and training—certainly those words are far from an accurate representation. But what a number of staff explained was that under 'smart and skilled' the money allocated for the assistance many people need will not cover the notetakers, will not cover the translators for people who need an Auslan interpreter if they are deaf. While that does sound costly—it often runs to about $80,000 over four years—when you consider that out of the training so many of those people go on to full employment, paying their taxes, not being on benefits for the rest of their lives, that $80,000 is in fact a most important and worthwhile contribution. That will not be available under the new way that vocational education and training is being rolled out by conservative governments. It was quite moving to hear the stories of some of the deaf students and people with disabilities. The current conditions made a difference to their lives but, they said, if they had enrolled next year it would not have been able to happen.

This was an incredibly worthwhile inquiry. The Greens were pleased to support the report; however, we were disappointed that some important recommendations that came through
from a lot of the evidence were not adopted. I would like to thank the many teachers, the staff, the Australian Education Union and many other organisations that gave evidence.

Some of the recommendations that the Greens put forward which we think should have been included in the report are: an end to the current model of competitive tendering of government vocational education and training and a comprehensive public examination and review of the consequences of full competition on TAFE, including the impact on the quality of vocational education, levels of student support and teaching infrastructure, and a reassessment of the case and justification for a competitive training market.

We also put forward a further recommendation for a complete and rigorous examination of the real costs of the provision of high quality vocational and further education, including technical skills for work, adult literacy and numeracy and a number of other key factors. A third recommendation that we included in our part of the report was for guaranteed funding for the public TAFE system based on the actual costs of providing education and on a funding model that supports a strong and increased base for capital works, maintenance, infrastructure and equipment, and which properly recognises the important role of TAFE in providing vocational and technical education in areas of high and low demand, in rural and remote areas and improved access and participation for disadvantaged learners.

We cannot afford to lose TAFE. TAFE is an integral part of how our society works—not just in terms of education but in bringing dignity and respect for people across the board who have had varying opportunities. (Time expired)

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (18:02): I want to rise very briefly; I will not be using all the time available to me today. Senator Back, the magnificent deputy chair of this committee, has fully traversed all the issues that I was hoping to raise today, except for one.

Senator Cameron: Mr Magnificent!

Senator McKENZIE: Senator Cameron, I am glad you are in the chamber! Page 1 of our dissenting report goes to the fact that vocational training is incredibly important, and we all know that in this place. It is incredibly important that it meets the needs of students and of industry so that our young people are appropriately trained, with important skills that our nation and our industries need, to go on to full careers within their chosen industry.

What was so disappointing and so typical is that this inquiry is about an issue that concerns state government jurisdiction. It is epidemic within the Greens political party that we are continually conducting inquiries into issues that quite properly belong within area of control of the state governments simply so that Senator Rhiannon or Senator Di Natale can get their press releases out into the media—even though they are issues that, as a federal parliamentary body, we cannot do anything about. At the moment we have got several inquiries going on, and the first page of our dissenting report goes to the fact that the integrity of the Senate committee process is fabulous. We are very lucky in this nation to have a committee system that is the envy of other chambers throughout the world. I want the reports that we produce in this place, from both references and legislation committees, to be well-researched reports that can be cited by other bodies that contribute to the public debate—rather than just a replication of evidence provided because the staff within the Senate are overworked, as are the senators. Our committee report says it beautifully:
Senate committees are not political footballs. They have scarce resources that should be employed to produce substantial, high quality reports based on extensive and comprehensive evidence gathering. Senate reports should be reputable, with high quality reference material that everyone in the policy arena can access with confidence.

Unfortunately, this particular inquiry was conducted in such a way that we were running around the country, hearing similar evidence time and time again. I think those of us on the committee can agree that we got a certain amount of evidence quite quickly and then it was simply repetitive so that certain media opportunities could be obtained by certain senators. I think that is a great disappointment, because the education and employment references and legislation committees have an important role to play in policy discussion and debate within the wider population.

One of the recommendations of the majority report goes to the quality of teaching and support for teachers within the TAFE system to participate in the Teacher Education Ministerial Advisory Group and perhaps make a submission around that. I particularly enjoyed some of Senator Rhiannon's commentary around increasing support for pathways into higher education, and I look forward to her support for some of our budget measures in that light.

A lot of the critique of the majority report goes to issues concerning state governments—particularly coalition governments but not all; South Australia followed Victoria's lead in terms of restructuring and refocusing their vocational education sector so that TAFE remains a very key part of the mix but not the only part in delivering vocational education in this country. I commend the report and the dissenting report to the Senate.

The ACTING DEPUTY PRESIDENT: I have been reminded to make sure that senators know that the time for the debate on this particular item finishes at 6.13 and, on the whole segment, at 6.43.

Senator LINES (Western Australia) (18:07): I rise to make a few short statements given the time constraints of the report. Unfortunately, I did not hear all of Senator McKenzie's speech so I cannot really make any comment about what was said.

It is true to say that across the country we heard from a range of witnesses—teachers, academics, TAFE directors, parents, students, the Australian Education Union, the Australian Human Rights Commission and business groups. So it is fair to say that TAFE is an important provider of vocational education and training. Indeed, it is the most significant provider of vocational education and training in this country. Its role is critical.

But what was very clear to us was that, right across the country, the role of TAFE is under threat. It is being undermined. All the people who gave evidence—they were experts in their fields, whether they were teachers, people in the business community who rely on TAFE, students, academics or TAFE directors—put significant expert evidence before us.

The contestability market is clearly not working for TAFE. Certainly a number of independent witnesses suggested that there be more of a controlled market, and that there are some areas that TAFE should not be competing in. One of the areas of excellence that TAFE provides is in the absolutely solid support for students with disability. We heard from an amazing young man in Sydney, who was representing the Deaf Society. He was incredibly articulate. Help with the cost of Auslan interpreters and note-takers and all the other services and supporters that, in particular, deaf students need is under threat. In Wollongong a young
man gave us evidence. He had completed a whole range of diplomas but he physically needed quite a lot of support. That is at threat, too.

Clearly, TAFE is a provider of excellence in terms of supporting students with disability. It is clearly a leader in second-chance education. It is a leader in terms of providing younger students who have dropped out of school with the opportunity to come back. We heard evidence from a young woman in Perth who told us that TAFE was the difference between life and death for her. It was that serious. Her life was so far off the rail but through doing a youth diploma in TAFE she is now working in that field and her whole life has changed.

I am sure that those opposite—in particular, Senator McKenzie—would appreciate that education can turn people's lives around. Clearly TAFE is expert in that.

TAFE sits within a political space. There were very disappointing issues that arose in Perth and Wollongong. In Perth particularly, the state government threatened the employment of witnesses who were giving evidence. The committee had to send a very strong letter to the WA government outlining the fact that parliamentary privilege extended to witnesses. There was a similar issue in Wollongong. So this is obviously getting to be political.

I hope that COAG takes our recommendations seriously. We need to ensure that TAFE survives. It is not just another registered training organisation. It is clearly much, much more than that. At risk right now is the further education of students with disability and second-chance education, of which TAFE is such a strong providers, particularly in relation to mature-age people who have become redundant and need to change their skills.

We heard a lot of evidence like that and it was rather surprising that only two state governments have a clear definition of the sorts of roles that TAFEs play. We heard evidence of where TAFE was expanding. There were partnerships with universities. One TAFE in particular is looking at working with a big private health provider to look at how they can do courses of mutual benefit. Those are all positive outcomes, but clearly both the federal and state governments, through the COAG process, need to be very clear about TAFE. It does need to remain a provider of excellence and a benchmark against which we hold all others accountable.

This competitive market it sits in now needs to be looked at as a matter of urgency, because TAFE is a great provider of vocational education and training in our country. I seek leave to continue my remarks.

Leave granted; debate adjourned.

NOTICES

Presentation

Senator MOORE (Queensland) (18:13): by leave—At the request of Senator Wong, I give notice that on the next day of sitting she will move that:

When the Finance and Public Administration Legislation Committee meets to consider the 2014-15 budget estimates the Secretary of the Department of Prime Minister and Cabinet is required to appear to answer questions.
COMMITTEES
Abbott Government's Commission of Audit Select Committee

Report


Leave granted.

Senator DI NATALE: I move:

That the Senate adopt the recommendation contained in the interim report that the time for the presentation of a final report of the Select Committee into the Abbott Government's Commission of Audit be extended to 16 June 2014.

Question agreed to.

Finance and Public Administration References Committee

Report

Senator TILLEM (Victoria) (18:15): On behalf of the Chair of the Senate Finance and Public Administration References Committee, I present the report on departmental and agency contracts together with a Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator TILLEM: I move:

That the Senate take note of the report.

On behalf of the Chair of the Senate Finance and Public Administration References Committee, Senator Kate Lundy, it is a pleasure to speak on the tabling of the committee's report on the Senate order for departmental and agency contracts. This is the committee's third report into the operation of the Senate order and it is narrowly focussed on two matters: the use of AusTender to comply with the Senate order and an assessment of the ongoing role of the Auditor General in auditing compliance with the Senate order.

Firstly, the committee strongly supports the continuation of the Senate order for the production of lists of departmental and agency contracts. Since it was introduced there has been a significant decrease in the number of government contracts containing confidentiality provisions. Numbers have dropped from 24 per cent in the 2001-02 financial year to four per cent in the 2012 calendar year. While the committee supports initiatives to remove duplication of agencies' reporting functions, the primary concern of the committee during the inquiry has been to ensure that the proposed AusTender reports are capable of complying with the Senate order.

A demonstration of AusTender during the public hearing failed to show that it is capable of producing reports that comply with the Senate order. For AusTender reports to comply with the Senate order, the committee's expectation is that there is access to a pregenerated list of contracts for agencies. However, the committee has received subsequent assurance from the Minister for Finance that AusTender will be modified so Senate order reports will be pre-
generated and that compiled reports for individual agencies will be available without users needing to set their own search parameters.

Given the committee has not had the opportunity to view this capability, it is recommending a staged approach to the changes. By 1 September 2014, the committee has asked to be provided with a link to a prototype of the AusTender website with agencies' compiled Senate order reports for the 2013-14 financial year and the draft revised guidance from Finance which assists agencies to meet the requirements of the Senate order. Subject to the caveat that the committee is satisfied that AusTender is able to produce reports which comply with the Senate order, the committee has recommended agencies be able to use AusTender as a mechanism to comply with the Senate order for a trial period of 18 months from 1 January 2015.

It is important to note that AusTender can only be used to comply with the Senate order in respect of procurement contracts. All other non-procurement contracts required to be reported pursuant to the Senate order will need to be reported using the current mechanism—that is, a list which is accessed via a link to individual agencies' websites.

I turn now to the role of the Auditor-General. Given the length of time the Auditor-General has been reporting on compliance with the Senate order and the improvement in the use of confidentiality clauses, the committee is sympathetic to the Auditor-General's view that the need for ongoing audits of compliance with the Senate order has diminished. However, in view of the trial, the committee was reluctant to move directly to a model whereby the Auditor-General would monitor compliance with the Senate order through the ANAO's audit of programs more generally.

The committee believes the oversight by the Auditor-General will be critical in the committee's assessment of the trial. The committee therefore recommends a phased approach to changing the role of the Auditor-General. This would see the Auditor-General table a report no later than 30 September 2014 pursuant to the current Senate order. The committee has then recommended that the Senate order be amended to reflect that the Auditor-General will table two subsequent reports no later than 30 September 2016 and 30 September 2018.

To provide a quality assurance mechanism regarding the proper use of confidentiality provisions, the committee has supported the proposal by the Clerk of the Senate that ministers be required to certify in the letters tabled pursuant to paragraph (1) of the Senate order that none of the contracts in the list include inappropriate confidentiality provisions as measured against the guidance issued by finance. Amendments to the Senate order would also take a staged approach, and the committee has gratefully accepted the offer by the Clerk of the Senate to assist with the drafting of the amendments.

The first set of amendments would reflect legislative changes as a result of the Public Governance, Performance and Accountability Act 2013, which is due to take effect 1 July 2014. The committee does not propose amending the wording of the Senate order to take account of the trial. The committee envisages that, for the purposes of the trial, agencies will provide a link to AusTender via their website home pages in addition to the link where non-procurement contracts are listed. If the trial is successful, further amendments to the Senate order would be proposed to refer to AusTender as an acceptable means of complying with the Senate order. At the end of the trial period the committee will consider any further amendments such as the minister's proposal for the Senate order to capture contracts
'published' in the six month reporting period, rather than contracts 'active' during the past 12 months.

It has been a privilege to be involved in this committee and to see the tabling of this important report for the Senate. I thank all those who contributed to the inquiry. In particular I would like to thank the Secretary of the Finance and Public Administration Senate References Committee, Ms Lyn Beverley, and all staff of the committee secretariat. I commend the report to the Senate.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

**BILLS**

**Social Security Legislation Amendment (Increased Employment Participation)**

**Bill 2014**

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (18:22): Youth unemployment is a very big issue for Australia and for young Australians. I regret to say this is particularly the case for my home state of Tasmania. According to the latest figures from the Australian Bureau of Statistics our unemployment rate for 15- to 24-year-olds is 17.4 per cent compared with a national average of 12.2 per cent. The situation is even worse when you get into the north-west of Tasmania where in some areas the unemployment rate is as high as 21 per cent. That is one young person out of a job for every five seeking to participate in the workforce. This is a serious challenge for government as we need to ensure that our young people have a stable future and that the next generation is job ready.

The Social Security Legislation Amendment (Increased Employment Participation) Bill is the government's attempt to put in place incentives to assist young job seekers. The bill establishes the Job Commitment Bonus. Young Australians aged from 18 to 30 who have been receiving Newstart Allowance or Youth Allowance, other than as an apprentice or a full-time student, for a period of at least 12 months will be eligible to receive a tax-free payment of $2,500 if they remain in gainful work and off income support for a continuous period of at least 12 months. Recipients will also qualify for a further tax-free bonus payment of $4,000 if they remain in continuous gainful work for an additional 12 months. That is a continuous period of 24 months in total.

The bill also establishes the Relocation Assistance to Take Up a Job program. This program provides financial assistance to long-term unemployed job seekers with participation requirements who have been receiving Newstart Allowance or Youth Allowance, other than as apprentices of full-time students, or parenting payment for at least the preceding 12 months to relocate for the purposes of commencing ongoing employment. The program is demand driven and will provide up to $6,000 to support eligible job seekers who relocate to a regional area, either from a metropolitan or another regional area, or up to $3,000 to support eligible job seekers who relocate to a metropolitan area, either from a regional area, or, in certain circumstances, another metropolitan area. Families with dependent children will be provided
with up to an extra $3,000. The non-payment periods for participants who leave their employment without good reason within six months after receiving a relocation payment will be 26 weeks under this bill rather than the 12 weeks which currently applies to relocation payments made under Labor's Move 2 Work program.

I question the government's financial impact statement accompanying this bill. The government's figures assume that the relocation program will operate as a savings measure due to job seekers remaining in employment rather than receiving unemployment benefits. There are a couple of reasons why I believe this assumption is questionable. Firstly, relocating for work does not mean that long-term unemployed job seekers are more likely to remain in employment. Secondly, Labor's Move 2 Work program, while not as generous as the government's relocation program, was similarly intended to increase workforce participation but had a very low take-up rate. While Labor will not be opposing the bill, we do have a serious concern about one of the provisions. The non-payment period for participants who leave their employment without good reason is extended to 26 weeks, up from the 12 weeks which currently applies under Labor's Move 2 Work program. We believe that 26 weeks is unduly harsh. I understand that my colleague Senator Cameron has already tabled amendments to deal with this provision which will be considered in committee. I understand that the hardship provisions, which waive the non-payment period, continue to apply. But the hardship provisions are about access to the essentials of life such as health care, housing or sanitation. What we need to consider carefully is the impact of extending a non-payment period on a job seeker's ability to find work and to maintain a reasonable lifestyle. Labor would like to see the government commit to reviewing the impact of this measure on job seekers because we do not accept that a person can be job ready while receiving no income for six months.

Perhaps we should be thankful that this is not the worst to come considering the announcement in the budget last night that people under the age of 30 applying for Newstart Allowance will have to wait six months before receiving a payment. The changes to Newstart announced in the budget seem to be at odds with the Treasurer's statement in his budget speech which said, 'As Australians, we must not leave our children worse off,'—but I digress.

As I said earlier, Labor will not be opposing this bill. After all, it has some provisions which have the potential to be useful. The measures in the bill are about providing young people with incentives to look for work and to remain in work. Incentives are important, but they will not work unless there are jobs to go to and job seekers have the right skills for those jobs. The fact is that the overwhelming majority of young people are willing to work but face a number of barriers that are beyond their control. The government needs to realise that a lot more is needed to tackle the pervasive problem of youth unemployment. There needs to be a job creation agenda.

The Prime Minister promised before the election that he would create one million jobs within five years and two million over the next decade. That is an average of 200,000 jobs a year so, by now, the government should have created more than 100,000 jobs. However, the pace of jobs growth has been well short of this target. In catching up to their aspiration, the government also need to make up for the announced 60,000-odd job losses in Holden, Toyota, car parts manufacturers, Qantas, Rio Tinto and Alcoa, not to mention the job losses in the public sector resulting from last night's budget and all the flow-on effects of those losses.
Labor in government created 950,000 jobs, while 28 million jobs were lost around the world during the same period. In addition to this we saved another 200,000 jobs through our decisive action during the global financial crisis. We also put in place a $1 billion plan to support exports, grow small business and help local manufacturers win local contracts, and we investigated future export opportunities through the Asian Century white paper. By contrast, we have yet to see a plan from this government for job creation. Australians who are currently out there looking for work are rightly asking where the government's plan is.

Another element that is needed to get young people into work is education and training so that they have the skills to match the jobs available. In government, Labor focused on supporting young people to finish school and to get the training and higher education they need for well-paying jobs. Between 2008-09 and 2012-13, Labor invested over $19 billion in skills funding—a 77 per cent increase on the previous government's investment. Since 2009, the federal Labor government provided funding of $6 billion to support state and territory skills and workforce development under the National Agreement for Skills and Workforce Development. We also announced that all Australians would have access of up to $90,000 assistance though VET FEE-HELP and access to courses up to certificate III level though the National Training Entitlement. So, Labor has a proud record of investing in skills and training.

Getting young people into jobs also requires comprehensive support services, and this is an area where Labor also has a proud track record. We introduced a system which matched services to individual job seekers and prioritised resources to go to the job seekers with the greatest need. This resulted in outcomes for job seekers improving by 90 per cent. Labor initiated a further review of employment services in 2012. There was strong interest in the review with over 180 written submissions received, and 440 people from 300 organisations attended face-to-face consultations.

We announced, prior to the last election, that Labor would establish a new system, Jobs and Training Australia, which would integrate employment services and training systems for the first time and place job seekers, workers and employers at the heart of the system. The system was to be founded on seven key principles: (1) training and employment services will be integrated through a place based and demand-led model; (2) Jobs and training boards will be established in around 42 regions across Australia to formally link employers, employment and training services, and health and community services. The boards will also ensure that services meet local needs and replace the artificial boundaries of the current employment service areas. (3) The up-front assessment of job seeker needs and employment barriers will be improved; (4) the jobs, training and apprenticeship guarantee will ensure that every job seeker gets the help they need to get back to work and that no one slips through the cracks regardless of whether they have low or high needs, or how long they have been unemployed; (5) there will be an increased focus on addressing long-term unemployment and youth unemployment, and on closing the gap in Indigenous employment; (6) incentve structures for providers will be changed to encourage sustained employment outcomes and reward investment in improving the capacity of job seekers to secure work; (7) an independent employment services regulator will manage job seeker complaints and service quality, oversee provider compliance and be responsible for reducing red tape. We are yet to see what the new government's plan is for Job Services Australia. If they are serious about
tackling youth unemployment, I would strongly encourage them to take up the principles enshrined in Labor's pre-election policy.

Labor also wanted to provide a jobs, training and apprenticeship guarantee, which would ensure access to telephone and online career advice, skills appraisals, assistance with resume writing. It would be engaged with an employment service provider and start work on a return-to-work plan within two days.

So, to sum up, we are satisfied with the incentives provided in this bill, but we believe there needs to be a more comprehensive approach to tackling youth unemployment. This approach needs job creation, investment in skills and training, and investment in employment services which meet the needs of job seekers.

On that note, I commend the bill to the Senate, while highlighting the opposition's concerns about the doubling of the non-payment period.

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:33): As my mother used to say, this bill is a bit like Curate's egg—in other words, there are bits that are good and bits that are bad. There are elements of this bill we support and agree with because we do think it is important to provide incentives, in particular for young job seekers. I was in here not long ago talking about how some of the budget measures the government is intending to bring in will significantly impact on young job seekers and young unemployed people. I am glad the government is recognising that we do need to be providing support to young job seekers and this is a much better way of doing it.

This bill seeks to amend two parts of social security legislation. First, it provides that job seekers aged from 18 to 30 years who have been receiving Newstart or youth allowance for at least 12 months will be eligible to receive a tax-free payment of $2,500. If they remain in employment and off income support for a continuous period of 12 months, they will receive an additional payment. That is really good and we can support that part of the legislation.

Second, it provides relocation assistance for people to take up a job. But what we have concerns about is this bill changes the non-payment period or, in effect, the punishment period if you leave employment without a reasonable excuse. In fact, there will now be a 26-week non-payment period before a person can become eligible to receive unemployment benefits. This is the same issue I was talking about in the chamber earlier today. Young job seekers who are unemployed will have to wait six months—well, six months and six weeks so, in fact, seven months and two weeks—before they are given an initial payment. They then have to work for the dole and after six months they will then receive no payments for six months. It is the same argument: how do you expect people to live for that period of time? It also depends very much on what your definition of a reasonable excuse is, and I have had several run-ins with the department in the past about what are reasonable excuses.

When young people move and take up relocation assistance, they quite often move to an area where they do not have family support or the usual supports. They can be quite disconnected from the community and that plays out quite significantly on how they adapt to their work environment. The concerns here are that on one hand we have a positive measure, on the other hand we have one that we think is over the top. ACOSs has raised concerns about the changes of definition around some of the requirements in the bill and we share their
concerns. So while the ALP has moved to amend, as I understand it, the exclusion from payments provision which would then revert back to the normal 12 weeks, we would like to knock out the whole of schedule 2 because the whole of the schedule deals with both the exclusion from eligibility for unemployment benefits and extending that to the 26-week period and also some of the definitional aspects of the legislation and we have some concerns about that. It changes the emphasis around how you get penalised and we believe that is a retrograde step in this legislation. We would prefer to see those not changed.

We have circulated in the last sitting amendments to the legislation which would in fact exclude or oppose schedule 2 while supporting schedule 1, which has the sorts of supports we need for young people. We need a much more supportive approach rather than a punitive approach. A punitive approach demonises people and assumes people do not want to work. As I said earlier, classing most of them as sitting around on the couch getting easy welfare is not the way you want to encourage people into work. The way to encourage them is, firstly, to have an incentive approach. The big stick does not work when people are living in poverty; poverty becomes yet another barrier to work. There is evidence to show that but there is not evidence to show that dropping people into poverty provides an extra incentive to work. It does not; it in fact becomes another barrier. So instead of penalising people we need to take a more positive approach, which this one does. It will be interesting to see how this now lines up with some of the other mechanisms that the government is bringing in and the impact the other approach the government is bringing through the budget will have on young people and how it encourages people into work versus a much more supportive approach which helps incentivise people and does not penalise people. It is an approach that works with young people to address their training needs and addresses any other barriers they have to employment. We know that that more individualised approach does help people into employment whereas a much more draconian penalising approach does not.

But the government could not help themselves with this. They brought in a positive but the sting in the tail was schedule 2, where people are penalised for such a long period of time. We believe it is much better to leave it at the current rate. If you are living on nothing, it really is a punishment for 12 weeks rather than 26 weeks; it really is. It is extremely hard for people to manage. I know that because I have had feedback from people who have already experienced, for example, the eight-week non-eligibility period when people were penalised for no-show, for example, through the current process. Eight weeks is a long time not to get any payment, so is 12 weeks, and 26 weeks is just too much. It is six months, half a year, which in fact is what the government is doing with its new approach announced last night in the budget.

So the Greens support the first part of this bill but we do not support the second part, schedule 2. Given that the ALP is, as I understand, still moving amendments, we support their amendments but they are not as extensive as ours, so I indicate our support for the ALP half-step that we have taken but we would prefer that we strike out the whole of schedule 2 because we believe that the amendments that this schedule seeks to make are not positive amendments but take us a step backwards in terms of the definitional aspects of the bill. However, we support schedule 1.

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (18:42): The coalition is proud to support policies that encourage job seekers into jobs and encourage job seekers to stay in those jobs. This bill enables two such policies: the Job Commitment Bonus and the
relocation assistance to take up a job program. These policies are major initiatives of the
government's broader policy commitment to encourage an increased workforce participation.
We took these policies to the election and this bill will deliver on these election commitments.

I will briefly outline the Job Commitment Bonus. It is a new incentive specifically targeted
to young Australians. The coalition understands the importance of getting young people into
work. Getting young people into work and keeping them in work is crucial to avoiding the
damage long-term unemployment can do. All the evidence shows that having a job improves
not only your financial health but your emotional, physical and mental health. The Job
Commitment Bonus is an incentive that encourages young people to stay in a job and keeps
them away from the tragic cycle of long-term unemployment.

The Job Commitment Bonus is a new payment. There was no equivalent payment under
the former Labor government. I know that in the regional electorate of Indi youth unemployment at
the moment is at 17.5 per cent, so it is indeed a concern for all of us, regional and urban
Australians like. This bonus rewards young Australians aged from 18 to 30 who get and keep
a job and remain off welfare. Eligible young job seekers will receive $2,500 after 12 months
in continuous employment and off welfare and a further $4,000 if they remain in continuous
employment and off welfare for another 12 months. That is 24 months in total with a total
bonus of $6,500. This is a significant investment by government to help young long-term
unemployed Australians to make a positive change in their life, specifically moving away
from welfare dependency to finding and keeping a job. To qualify for the bonus payment job
seekers will have to meet the following criteria. Firstly, they will have to be aged 18 to 30 and
have been on income support, Newstart allowance or Youth Allowance for at least the
preceding 12 months. Secondly, they need to get a job and remain continuously employed for
12 months and off welfare to attract the first bonus payment of $2½ thousand and then remain
continuously employed for a further 12 months whilst remaining off welfare to attract the
second bonus payment of $4,000. This will be a significant incentive for young people to get
off welfare and keep a job.

The relocation assistance to take up a job program is a targeted measure designed to
promote workforce participation by encouraging jobseekers to move to areas where jobs are
available. Many jobseekers find themselves living in areas with high levels of unemployment
and far away from job opportunities. This, combined with high moving costs, causes many
jobseekers to give up on taking up a job that they could ordinarily take because they are
simply too far away. This program will help long-term unemployed people and assist with the
costs of relocation, so that they can actually move to where the jobs are. The program will
provide significant financial assistance of up to $3,000 for jobseekers to move to a
metropolitan area, up to $6,000 to move to a regional area and up to an additional $3,000 for
jobseekers with dependent children. It is important to note that this program will reimburse
actual moving costs up to the applicable maximum amount, including some rent in advance if
necessary.

Both measures contained in this bill will address long-term unemployment and demonstrate
the coalition's broader agenda of increasing employment participation across the economy.
The coalition firmly believes that all Australians capable of work should be working. The Job
Commitment Bonus and the relocation assistance program will both encourage and reward
long-term unemployed to find and keep a job. These measures form part of the coalition's plan to create a stronger economy and create two million jobs over the next decade and will particularly help young Australians and the long-term unemployed move from welfare to work.

Why are we choosing to introduce these measures? The Job Commitment Bonus addresses the problem of youth unemployment. We understand, as I said earlier, the importance of getting young people into work. It is a targeted measure designed to promote workforce participation. As we have seen in the economy in recent years, particularly when we look at regional areas, there have been significant job opportunities created, particularly in Western Australia and areas of western New South Wales and Queensland, particularly in the mining industry. Many young people have taken advantage of those opportunities and have taken the skills that they have learnt at TAFE or, indeed, on the farm—particularly around mechanical skills—to these regional areas and participated in very lucrative job opportunities in working within the mining and construction industry. So it is possible to move from family and friends. Whilst it is heart wrenching and hard to move away from your community, to ensure your own financial stability and future and the economic sustainability of family if you have dependants these are the decisions that you may have to make.

When we look at high-income earners, we see that they tend to be a lot more mobile as a workforce and are quite willing, able and ready to move to where the next best job opportunity is for them in their particular career area. This is not the case for those who have been on welfare or are from low-income families. This type of targeted measure is one way the coalition government is seeking to provide additional assistance to those most vulnerable in our communities to ensure that they can have additional assistance to make those difficult decisions to move from friends and family and from their communities to where potential job opportunities may be available elsewhere in our national economy and, by doing so, provide financial stability for themselves going forward. I know that those opposite may struggle to accept that it is an acceptable measure for young people to actually incentivise them moving away from home.

Debate interrupted.

**DOCSUMLC**

Torres Strait Regional Authority—Report for 2012-13—Corrigendum

Senator BOYCE (Queensland) (18:51): I move:

That the Senate take note of the document.

I wanted to draw the Senate's attention to the Torres Strait Regional Authority Report and the corrigendum, as a way of drawing attention to the Torres Strait itself. I was lucky enough to be a member of the Joint Select Committee on Northern Australia that visited the Torres Strait in April. Amongst the others who were there were the chair, of course, Mr Warren Entsch, and Queensland senators Ian Macdonald and Joe Ludwig, as well as other members of the joint committee from other states.

I was very honoured during my visit there to receive a gift from the Torres Strait Regional Authority. I have tried very hard during my time as a senator to draw the Senate's attention, both as a Queensland senator and as an Australian senator, to the existence of the Torres Strait. I have been trying to make the point for many years that Australia does not stop at
Cape York; although that is the end of the mainland, Australia continues for another 140 kilometres, with our most northerly island, Boigu, being only six kilometres from the Papua New Guinean coast and within easy sight and boat reach of the Papuan coast.

During our committee's inquiry the Torres Strait Regional Authority made some very strong points about the unique position that they inhabit within Australia as our most northern frontier. It is certainly a frontier that has, in certain ways, as Minister Scott Morrison in a subsequent visit pointed out, some porosity for Australia and for our border. But in the Torres Strait they face many problems, not the least of which is being our most northerly and most open border—with the issues relating to health, to biosecurity and to crime—as a way, perhaps, to enter Australia, and the Torres Strait Islanders I believe have done an extraordinarily good job of occupying that position. The other point that they make is that they occupy a part of Australia that is very expensive to live in, very expensive to visit and very expensive to get around. During evidence we heard that it can cost over $300 for a flight from one of the islands to the main island of Thursday Island, for medical treatment, for example. So it can be over $600 simply to visit the doctor—which is not something, of course, that very many of us, even in rural and remote Australia, experience. Also, the cost of fuel there is at least twice what it is in other parts of Australia.

I also want to add that this was my last visit as a senator to the Torres Strait, but will by no means be my last visit to the Torres Strait. I will continue to support the area.

In my time as a senator I have established three scholarships for Queensland women for educational purposes, and one of those is the Morey Scholarship, named after my great-grandfather who had pearl-lugger vessels in the Torres Strait before World War II. According to family history, he was quite pleased when these were commandeered during World War II because the pearl-lieving industry was in decline! But the most recent winner of the Morey Scholarship is a young woman who was born on Horn Island and is now undertaking a Bachelor of Education with JCU in Cairns. Her name is Katijah Keenan, and she is intending to return to the Torres Strait after she has finished her degree. Quite coincidentally, we have discovered, since speaking to her, that Katijah's grandfather, a Mr TJ Farquhar, was a pearl-liever in the Torres Strait at the same time as my great-grandfather, Frederick Morey. So I hope that this will provoke both of us to put some more time into looking at our history in a very worthwhile part of Australia.

Question agreed to.

**DOCUMENTS**

**Consideration**

The following orders of the day relating to government documents were considered:


The following orders of the day relating to government documents were considered:

Treaties—Bilateral—Text, together with national interest analysis and annexures—Agreement between the Government of Australia and the Government of the United States of America to Improve International Tax Compliance and to Implement FATCA. Motion to take note of document moved by


General business orders of the day nos 21 to 24, 26 and 27, 29 to 31 and 33 to 35 relating to government documents were called on but no motion was moved.

**ADJOURNMENT**

**The ACTING DEPUTY PRESIDENT (Senator Stephens) (18:58):** Order! I propose the question:

That the Senate do now adjourn.

**Federal Government**

**Senator SMITH** (Western Australia) (18:58): It will come as no news to other senators in this place that I have a longstanding commitment to our federation. The Australian Constitution was founded on a very sound principle of clearly delineating responsibilities for the Commonwealth, with matters not specifically mentioned in section 51 of our Constitution held to remain the responsibility of state governments. This was not an accident of design. It was a clearly thought-through element of systemic protection, which drew heavily on the American experience.

I have spoken previously in this chamber of the powerful influence that James Bryce's book *The American Commonwealth* exerted on many of the delegates who attended the constitutional conventions of the 1890s, which created the document that continues to underpin our system of government today.

Bryce's work comprehensively catalogues the numerous benefits that flow from a system of government that clearly divides power between a central national government and state jurisdictions, which, by definition, are closer to the people and, accordingly, have a better capacity to appreciate and respond to the more immediate day-to-Australia.

As a Western Australian I can say—and I am sure that other Western Australian residents would also say—that this is more than a constitutional theory; it accords with our own lived experience. There is a reason why Western Australians were initially reluctant to join the Federation in the lead-up to 1 January 1901.

Likewise, it is not an accident that at each attempt a federal government has made to alter the Constitution in a fashion designed to grant increased powers to Canberra, the yes vote in Western Australia tends to be noticeably lower than in other jurisdictions.

I realise it is something of a cliche, but the fact remains that Western Australia is a very different place from Australia's eastern states. Our geography orients us toward the Indian Ocean, rather than the Pacific. It is cheaper and faster for Western Australians to travel to Bali, Singapore or Kuala Lumpur than to some of our key eastern-state centres.

Western Australia exports 46 per cent—almost half—of Australia's total exports. Some estimates indicate that by the end of this decade that figure will be closer to 60 per cent. Seventy-three per cent of all Australia's exports to China come from Western Australia.
As I have said on previous occasions, Western Australians understand that we are part of a nation, a Federation. However, I believe that that Federation is big enough and mature enough to account for the fact that there are distinct cultural and economic elements in each of its constituent parts. There is no doubt that there are changes and challenges within our Federation. It has its problems. However, my view is that these problems have not emerged because of the design of our federalist system, as some would suggest. Rather, these problems have arisen because of political imperatives—a desire by federal governments of both political persuasions to overreach, to gather more power into their own hands, at the expense of the states.

I think that what had sometimes been forgotten in this centralist zeal is that, when you take powers from the states though the power games that have been fashionable over recent decades, it is actually the citizen you disempower, not the state government. After all, state parliaments still exist, state parliamentarians continue to draw salaries and state public servants still have jobs. In practical terms, they have lost very little. The big losers have been the residents in our states, most particularly in my home state of Western Australia, who have had to deal with services increasingly being run from a distant national capital that does not understand the day-to-day needs of our communities.

Accordingly, the question those of us in this place need to deal with is the manner in which we address this challenge. As I see it, there are really two pathways to reform. One way—and I know it has had a number of fans on the other side of the chamber—is to abolish state governments altogether.

Former Prime Minister Bob Hawke, along with other senior Labor figures, is on the public record as favouring this radical course of action. During its time in government, under former Prime Minister Kevin Rudd, Labor promised to end the blame game. In the lead-up the 2007 election, when Mr Rudd was in his 'economic conservative' phase and those opposite were keeping their real views about their leader under wraps, this was portrayed as an honest desire by the Labor Party to work with the states.

Yet, once safely in The Lodge, it quickly transpired that what Mr Rudd had in mind was a series of federal takeovers, taking over hospitals and schools. Mr Rudd, with hands on levers, was going to cure all our ills by taking personal charge of them. And what did he create? An almighty mess, one that was so bad that his colleagues were forced to end his political career.

Time and time again, Australian history has demonstrated that there is simply no evidence that the Commonwealth government is any better at service delivery than the state governments it seeks to usurp. Indeed, our experience in Australia has repeatedly demonstrated that the Commonwealth is actually very bad at service delivery.

That is the reason we saw former Prime Minister Kevin Rudd in the witness box today, delivering evidence at a royal commission into the role his bungled home insulation scheme played in the deaths of several young Australian workers. That is what happens when the federal government starts trying to micromanage.

So why on earth anyone capable of learning the lessons of the past would view the abolition of the states and handing greater power to the Commonwealth as a solution is beyond me. As I said earlier, it is my strongly held view that the way forward for Australian federalism is to adhere more closely to the intention of its original design.
As a member of the Senate Select Committee into the Abbott Government's Commission of Audit, which has been conducting an inquiry into the National Commission of Audit, I have taken a keen interest in the commission's report. Understandably, given this is budget week, much of the public attention on the report has been on the budgetary recommendations contained within it. However, I think an equally important part of the commission's lasting legacy will be the series of recommendations that it has made in regard to our particular brand of federalism in Australia.

In the lead-up to last September's federal election, the Abbott government gave a commitment to produce in its first term a white paper, looking at the future of Australian federalism in modern Australia. As the government has indicated, the recommendations contained in the report from the National Commission of Audit will feed into the preparation of that white paper.

The commission's final report contains a number of very worthy recommendations that, in my view, have enormous capacity to strengthen our Federation and start to reverse what had, over recent decades, seemed to be an inexorable and unwelcome drift towards centralism.

As the commissioners noted in the statement issued at the time of the release of their report:

The Commission was asked to examine Commonwealth/State relations. It has made recommendations to reform the Federation and to devolve as much as possible to the States which is the level of government closest to the people.

It has also recommended the elimination of costly and ineffective duplication and a reduction in the significant administrative burden the Commonwealth imposes on the States through hundreds of COAG agreements. The States should be sovereign in their own right if Australia is to return to the Federation and Constitution which have served the country so well.

As a proud supporter of our Constitution, I was very pleased to read those last few words.

I am very pleased that the budget that the Treasurer handed down last begins this important task of reforming the Federation. I look forward to the white paper on federalism, which I think will represent a once-in-a-generation opportunity to actually put federalism to work for us in building a stronger economy and in delivering better-targeted and better-resourced services for communities.

Yes, the Commonwealth does and will continue to play a role in funding those services but, as a Western Australian, I was especially pleased that the National Commission of Audit highlighted opportunities to do this in a more effective way.

The commission has recommended that the states have direct access to a portion of income tax generated in their economy and that this be offset by a reduction in tied grants. That will be subject to further examination by the government in its taxation and federalism review process. Also recommended was pro rata distribution of the GST, with top-ups to the states that require some extra assistance. As a Western Australian, this is an issue close to my heart. In my first speech to the Senate two years ago next month, I urged my party to rise to the challenge of dealing with this prickly political issue. I renew that urge this evening. Yes, I am mindful of the statements the coalition took to the last election—that no changes would be made before the next election—but I am also conscious of the sensitivities of other states on this issue. It is complex and arriving at a satisfactory outcome will take time, but that time must begin now.
People will be alarmed to hear that Western Australia is on a trajectory towards receiving just 11 per cent return on its population share. On current trends, by 2017-18— *(Time expired)*

**Nagy, Mrs Eva**

Senator FARRELL (South Australia) (19:08): I rise to speak about a very fine woman from South Australia, Eva Nagy, who was born in Hungary in January 1928 and has made a terrific contribution to the beauty of Adelaide and its wonderful and unique heritage buildings. Now retired, Eva Nagy is a survivor with a fascinating story.

Her sedate lifestyle currently in Adelaide belies her earlier life as a young and courageous Hungarian freedom fighter and young student revolutionary who, along with her brave contemporaries, incurred the wrath of Russia's Stalinist regime. Bullets could not dent the bravery of these young freedom fighters. Eva survived the ravages of both the Great Depression and World War II, during which Hungary was occupied by both the Nazis and the Soviets, and was awarded a diploma of architecture by the Budapest College of Technology in 1954—60 years ago. This was the period Churchill famously declared that an iron curtain had descended across Europe, and Hungary found itself on the wrong side of that curtain.

Post-war Hungarians increasingly sought an independent path to national sovereignty. By the early 1950s, there was significant unrest against the puppet communist regime backed by Stalin's Soviet Union. In October 1956, Stalin, under cover of the Suez crisis, sent tanks into Hungary and Budapest to quell the freedom fighters, and among them was a young Eva Nagy. As Stalin said at the time, there would have been no revolution if a few poets had been eliminated. Even as recently as the 1990s, Eva was able to show her children the bullet holes in the buildings of Budapest from shots fired at students and young revolutionaries, such as herself, by the Russians.

Realising the West was unwilling to support Hungary's fight for freedom, Eva took the fateful decision to flee her homeland. With her children, Kathy, eight, and Charles, six, she made the dangerous journey across the Russian-tank patrolled minefields on the Hungarian-Austrian border, finding refuge in England, where she obtained permanent residency. There she met her second husband, Nicholas Nagy, and had her third child, Tony, born in Bradford—and he is in the Senate this evening to listen to this speech. Nicholas too was a refugee, and as an artillery officer he fought both Nazis and communists. His uncle, Vilmos Nagy de Nagybaczon, had been Hungary's Minister for Defence until mid-1943 when he was ousted for his support of the Jews. For this support, in 1966, Vilmos became the first Hungarian selected Righteous among the Nations by the Yad Vashem Institute of Jerusalem.

In England, Eva joined the structural department of Leeds City Council. Life in England's north was not the easiest. There were few opportunities for tertiary education and her youngest child suffered extreme asthma, which was exacerbated by industrial smog. So Eva and the Nagy family migrated to Australia as part of our great post-war migration boom. Not being British citizens, they were not the infamous Ten-Pound Poms; they paid an 'uplift': eleven pounds, three shillings and four pence.

Arriving in Adelaide in 1969, their first home was a quonset hut near Glenelg, where many tens of thousands of new Australians spent their first weeks. Hungary and England's loss proved invaluable for Adelaide. Thankfully, times have changed a lot since the 1960s, but
back then, being a migrant and a woman, Eva worked twice as hard to get established. With an excellent reference from the Leeds City Chief Engineer, she gained a position as a
draftswoman with engineers Kinnaird Hill de Rohan and Young. In October 1971, Eva joined
the state’s Land Titles Office as a tracer. At that time, the two-tier pay system was still in
place, and women were paid only two-thirds the rate of men. Eva also obtained recognition by
the South Australian Institute of Technology for her Hungarian qualifications—equivalent to
an architectural technician certificate awarded by SAIT.

In 1973, Eva joined the architecture section of the South Australian Public Buildings
Department as a technical officer grade 2. The Dunstan government had recently passed the
new Heritage Act to protect historic sites and the department realised it needed a dedicated
team of architects and heritage specialists. So, along with architect Adrian Evans and
historical officer Fred Bierbaum, Eva formed Australia’s first Heritage Unit. One of their
earliest projects was restoration of the old Attorney-General’s building near Victoria Square.
Fittingly, it became the first home to the Legal Services Commission. The building now has
National Trust classification, is included on the Register of the National Estate of the Heritage
Commission and is a key component of the Victoria Square heritage precinct.

Eva worked on many significant buildings between 1975 and 1986. These include: Ayers
House; the Art Gallery of South Australia; the Old Police Barracks Armoury, which became
the Art Gallery Historical Museum; the Destitute Asylum, now the Migration Museum; the
Museum of South Australia; the Supreme Court; and the adaptation and restoration of the
Currie Street Primary School, now the Adelaide Remand Centre. Eva worked as a consultant
on many projects. She liaised with the South Australian Police Department on the Fort Largs
Police Academy and consulted on the Burra Primary School and Miners Cottages. One of
Eva’s tasks was preserving heritage furniture—and there was plenty of rivalry between
bureaucrats and politicians to obtain prized items.

Eva retired in 1989 but still remains engaged in public life. In 1994 she joined the ABC
National Advisory Council, where she worked with senior management and developed her
interest in migrant communities. Now enjoying her retirement, Eva Nagy has left to her
adopted home and state a lasting legacy. Any visitor to Adelaide and South Australia will see
and enjoy the beauty of its heritage buildings. Many of these beautiful buildings are testament
to Eva’s commitment and life-long love of history and heritage architecture. I thank her for
this fine contribution.

South Australia: Red Cross

Senator WRIGHT (South Australia) (19:16): I rise tonight to speak about one of the best
aspects of my work as a senator: getting to meet with the many good-hearted and generous
people involved in organisations throughout Australia providing valuable services to the
community and, in many cases, offering a shoulder or a hand to those who are less fortunate
in our society. Unfortunately, having heard the budget that was handed down last night, I fear
that the need for these good-hearted and generous people and these organisations is only
going to increase. I hope that they will be able to meet the inevitable increase in the number
of people who will be seeking their services. In any case, it was my privilege recently to meet
some of the dedicated and passionate people at the South Australian branch of the Red
Cross—in particular, the team responsible for the peer mentoring program ‘Step Out’. I met
the project coordinator, Stella, and mentors Anton, Scott, Achuil and Steven. They shared
with me some of their experiences of working with young people through the Step Out program.

Step Out is a peer mentoring program which began in 2010. The participants in the program are young people aged between 14 and 25 who have been involved in the youth justice system. The main role of a Step Out mentor is to assist and support a young person to transition from detention into mainstream society, thus helping the young person to 'step out' of a reoffending cycle. The mentors—who are both paid and voluntary—do this by helping the young person articulate their goals—short, medium and long term. They help them to reconnect in the community and to pursue positive lifestyles that minimise the risk of future offending.

Mentors guide the personal development of the young people by helping them to work out the steps they need to take to reach their goals. It is this focus which makes the program unique. Step Out mentors do not view the young people as 'at risk', but see them as being in a position to take steps towards a more positive future with support. Actions are not mandated. The young people participate voluntarily and take the leading role in their own development through the program. Each participant completes a Personal Development Guide. They are asked what they want from life, what positive changes they want to make and what they want to achieve. They outline their short- and long-term goals, which their mentor can help them to achieve. Maybe they want to return to school or complete a certificate course that could help them gain employment. Maybe they would like to return to playing a sport they enjoy or reconnect with an estranged parent. Participants can express themselves in their Personal Development Guide in the form of words, images, drawings or any other form that works for them. Not surprisingly, no two Personal Development Guides are the same.

For the sake of continuity, mentors begin working with young people while they are still in detention and continue to work with them for 12 months after they have been released and are living in the community. Of course, the young people who participate in the program often have complex needs. One participant was a young woman of 16 when she commenced with the program in 2011. At that tender age, she had experienced 52 foster placements. Sometimes—perhaps unsurprisingly—they return to custody while the mentoring is in train. In that case, the mentors continue working with them. They understand that, as with all of us, it is sometimes a case of two steps forward, one step back. The 12 months starts again—the mentors do not abandon the participants—and they are assisted to see that change is possible.

For many of the young people, it is the first time they have really been asked and given the opportunity to determine their own goals. That is an empowering experience but would potentially be very challenging and even frightening if they did not have the support of their mentor to work out how to do it. A young person in the Step Out program often needs the most basic kinds of support and skills that many of us take for granted. Mentors might help them by building their social skills so they can understand basic politeness and rules of social interaction that they may never have learnt. The mentors teach them how to make positive choices and encourage them to be aware of the impact of their decisions and actions on other people and themselves. These things all contribute to helping the young person to feel empowered to take responsibility for their life.

The mentors in the program all have life experiences which equip them to understand some of the experiences of the young people they are working with. I met Achuil, who had the
experience of being displaced from his home country, in Africa, and overcoming difficulties in adjusting to a new life in Australia. He was thus able to empathise with and help young people to overcome their own difficulties in finding stable accommodation and reintegrating into society after being released from detention.

The program also employs a youth advisor—to keep it real and to connect with the young people who may need help. Unfortunately I did not get to meet the youth advisor, Adrienne—by all accounts a remarkable young woman—but I certainly heard a lot about her. Despite her own challenging history, she has the charisma and leadership qualities to help to make a difference in other young people's lives.

The Step Out program was evaluated by the school of law at Flinders University, which tracked it over a period of 15 months to determine its success in helping participants to identify their personal goals, reconnect with their communities and minimise the risk of future offending. The findings were extremely positive, with the mentoring making a substantive impact on mentees' decision making and capacity to plan for pro-social futures, as well as practical and immediate outcomes such as securing accommodation, job training or employment. The evaluation found that the value of the program came from the consistent, reliable presence of the mentor in the mentee's life. Although there was some recidivism and return to detention in some cases, where this did occur there was a reduction in the severity of the offences and an increase in the time between offences being committed.

It does not take much thinking to realise how a program like this makes social and economic sense. The cost to support a young person through the Step Out program is less than $8,000 a year, compared to the cost of over $100,000 to keep a young person in juvenile detention for a year. And of course there are also the obvious long-term social benefits of diverting a young person from a life of involvement with the criminal justice system. The strength of the program, I think, lies in the relationship between the mentor and the mentee, based on trust and a mutual willingness to participate in the program. Participants in the program have reported having a high level of trust in their mentor, and this is significant for young people who have been let down by many people before and are often very wary of trusting anyone.

I will finish by telling the story of one participant whose life has been transformed by the Red Cross Step Out program. At the age of 17, Matt was living in difficult conditions. I am using a pseudonym here, but it is one that is reported by Step Out. He had been forced to take out a restraining order on his parents because of their abuse and threats, and he was living in supported accommodation. He did not have much money, and he was often sleeping rough. He was leading a tough lifestyle that had led to more than one aggravated assault, and he was going through the courts for armed robbery.

Matt joined the Step Out program after he met his mentor, and he now meets his mentor once a week. They share a common interest in sport, music and movies. With the help of his mentor, he was able to identify goals of obtaining and maintaining independent accommodation, gaining short-term employment and attending his court and other appointments on time. So far, he has built a resume, attended three job interviews and been accepted into a 10-week training course that he hopes may lead him into work in the construction industry. Since his involvement with Step Out, Matt has not reoffended, which is a major achievement for him and his peer mentors. They are very proud of him.
The South Australian Red Cross Step Out program currently has funding for two years, with a possible third year. I certainly sincerely hope it can be continued into the future and also expanded to work its magic and its success in other states. It is a great example of a proactive, positive, valuable program that will give great hope for those who are potentially very disadvantaged in our society. I congratulate the Red Cross in South Australia for their initiative in developing the program, and those who are responsible for it, and I very much wish it well in the future.

Primary Industry

Senator O'SULLIVAN (Queensland) (19:25): I have been a senator for less than 100 days, yet, as I travel across Queensland and the wider nation, I truly feel a sense of renewed vigour in rural and regional communities because government has committed itself to supporting the challenges and opportunities that lie ahead for those in areas outside the major metropolitan and high-population centres. This government recognises the need to support and enhance the viability and capacity of our communities in rural and regional Australia.

It should be noted that the Prime Minister has repeatedly told the world that Australia is open for business. Some people have mistaken that declaration by the Prime Minister to mean that Australia is up for sale. I believe that that was not the intended message. Whilst all in government have an open mind with respect to foreign ownership, particularly the nuances associated with ownership in the agricultural and processing sector, I am of the opinion that the statement related to a commitment on the part of government to work with trade partners in a modern, globalised economy that has, as its collective objective, fair and equitable trading arrangements that bring mutual prosperity to the participating nations. However, this goal cannot be achieved unless the government demonstrates a commitment to working in partnership with the private sector in these communities to pursue and realise these significant economic development opportunities.

Our nation is confronting a critical juncture as we see mining revenues, which we have so heavily depended on in the early years of this century, commence to decline. This was inevitable. As this mining boom comes to an end, we are again experiencing a shift in focus to the so-called soft commodities in agriculture. More and more, we are hearing economists say that a vibrant, innovative and competitive agricultural sector will be one of the pillars essential to underpinning a diverse, world-class Australian economy into this 21st century.

Rural and regional Australia is poised to reap the benefits of this transition. The rise of agriculture as a major focus of the Australian economy is not a new concept. This is not a new economy. It is an old and indeed important economy that is returning to prominence. Whilst this nation has been trading and exporting commodities since British occupation, the terms and conditions that will frame this future trade opportunity will look very little like anything we have experienced previously.

Modern export markets demand the very best product and produce that we can deliver, where, to the extent possible, goods are free of traces of hormones, pesticides and herbicides and—for some—genetic adjustment. These goods need to be fresh and they need to be delivered in pristine condition. They need to meet the customers' standards, they need to be priced competitively, and they need to be better than those of our trading competitors. In export parlance, 'Quality is the new black.' Where our export trade involves livestock, there have been demands of social licence made on our exporters that have continued to affect the
trading commodity all the way through the downstream supply chain until the animals are humanely processed. Long gone are the days when we can do what we like with our exports because we have them and our customers do not. However, I remain troubled by the increasing intervention of environmental groups in this process. In recent years, a number of certification and labelling programmes have been imposed on business in the effort towards perceived sustainability certification systems as defined by multinational corporations. These programs have been promoted by corporately sponsored activist groups as reflective of the community's environmental and social concerns. These programs have, more often than not, included auditing by third party organisations, where the costs of the process are met by the producer-grower community.

Whether it is forestry, seafood or palm oil, the formula employed by the green movement on industry is the same. Activist groups such as the WWF apply public pressure on both industry and business. These activist groups continue to lead, and sometimes use commercial intimidation, until private enterprise agrees to join the activists' program. The end result is a scheme that simply adds a further level of regulation and cost to these businesses. Furthermore, and as previously stated, there is evidence that some of these groups are funded, in part, by end users in the food supply chain—who are more motivated by adding a marketing edge to their sales campaign than either environmental protection or the economic viability of the relevant industries.

It must be noted that less than two decades ago retailers knew little about sustainability and certainly not certification programs that audited these efforts. Therefore, the question arises as to what lay behind the rise of these efforts and how business can best address these valid consumer concerns. My answer is simple: the solution must be directed by industry. It must be driven by the improved promotion of industry's existing efforts in this space. No one wants a sustainable product—environmental as well as economic—more than I do. However, it is my personal view as a businessman that the most important decisions need to be made by those who have their hands in their own pockets, because ultimately they will be the beneficiaries or the victims of the risk and reward strategies that are put in place.

In recent weeks, my colleague Senator Boswell and I have announced the formation of a 'squaretable' of farming representative groups in response to vocal constituent opposition to Australia's participation in the Global Roundtable for Sustainable Beef. The squaretable, which will meet for the first time next week, is a steering committee consisting of beef sector organisations that represent grassroots industry stakeholders. Its underlying ambition is to improve communication between these representative bodies to facilitate a unified stance and action plan to deal with significant challenges confronting the beef sector.

I have repeatedly said, and continue to maintain, that the agriculture sector has a bright future as the Asian middle classes look to our nation for a quality and reliable food supply. Our agricultural output remains the envy of the globe and its demand is ever increasing. Australian farmers meet, and in most instances exceed, any accepted key performance indicators or world's best practices and so we are well placed to serve these volume market demands as the Asian middle classes expand. Therefore, it is clear that any effort to collate and communicate the industry's sustainability credentials must lay with the private sector—especially those organisations whose future viability is dependent on this process. If we are to truly capitalise on the increasing food and fibre demands in this 'Asian century', then our
government must work with private enterprise to reduce the regulatory burdens that jeopardise productivity and viability.

Whilst there is no doubt there is a plenitude of burgeoning opportunities, we must first confront the government's tough fiscal situation so that we can restore stability and increase the ability of businesses to plan. Last night, the government proved its willingness to make the difficult but necessary decisions so that we can ensure prosperity for all in the future.

This first Abbott government budget calls on everyone and every business to contribute. We are strengthening the workforce, boosting productivity and building a stronger economy with more investment. But there is still much work to be done. To fully realise the significant opportunities that lie ahead of our nation, the coming years will require an almost obsessive focus from all tiers of government on delivering reforms that enable Australia to remain one step ahead of our international competitors.

We must refocus our economy in part on agricultural and primary production and those sectors and communities that support these important deliverers of wealth. We must be prepared to be innovative. We must continually question our methods in the search for the cutting edge. We must strive never to be complacent but to always remain committed to being quality trendsetters, not followers.

The fundamental goal is to improve returns to the farm gate. This will mean greater resilience and long-term profitability for farmers, more jobs, more investment and stronger regional communities. We now have a strong foundation to begin this next stage of economic development. This government is focussed on laying the foundations so that future generations might benefit. In a resource-hungry world, our rural and regional areas hold the keys to Australia's prosperity. And every one of us should, and indeed must, contribute to the implementation and strengthening of this vision.

Senate adjourned at 19:35

DOCMENTS
Tabling

The following documents were tabled by the Clerk:


Aged Care Act 1997—

   Aged Care (Conditions for Residential Care Allocations) Determination 2014 [F2014L00433].


Agricultural and Veterinary Chemicals Code Act 1994—

   Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2014 (No. 4) [F2014L00386].

   Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2014 (No. 5) [F2014L00495].
Anti-Money Laundering and Counter-Terrorism Financing Act 2006—


Australian Bureau of Statistics Act 1975—


Australian Hearing Services Act 1991—Declared Hearing Services Amendment Determination 2014 (No. 1) [F2014L00430].


Australian Prudential Regulation Authority Act 1998—

Australian Prudential Regulation Authority (confidentiality) determination—No. 5 of 2014 [F2014L00453].

Australian Prudential Regulation Authority instrument fixing charges—No. 1 of 2014 [F2014L00383].

Australian Research Council Act 2001—Funding Rules for schemes under the Linkage Program for 2014 – Special Research Initiatives and Learned Academies Special Projects [F2014L00403].


Bankruptcy Act 1966—Bankruptcy (Fees and Remuneration) Determination 2014 [F2014L00367].


Civil Aviation Act 1988—


Civil Aviation Regulations 1988—

Authorisation and permission — helicopter winching operations—CASA 66/14 [F2014L00387].

Instructions — use of Global Navigation Satellite System (GNSS)—CASA 80/14 [F2014L00431].
Civil Aviation Regulations 1988 and Civil Aviation Order 40.2.1—Approval — A380 and B737-800 aircraft GLS approach procedures (Qantas)—CASA 44/14 [F2014L00466].


Civil Aviation Safety Regulations 1998—


Exemptions — compliance with SIDs in the maintenance of Cessna aircraft—CASA EX26/14 [F2014L00388].

Hartzell Engine Technologies — Cabin Combustion Heaters—AD/AIRCON/12 Amdt 4 [F2014L00507].

Inspection of Fan Blades with 25 Degree Mid-span Shrouds—AD/CFM56/33 [F2014L00502].

Lermer GmbH Water Boilers—AD/ELECT/74 Amdt 1 [F2014L00462].

Nose Landing Gear Selector Valve—AD/CL-600/111 Amdt 1 [F2014L00496].

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CASA ADCX 006/14 [F2014L00362].
CASA ADCX 007/14 [F2014L00405].
CASA ADCX 008/14 [F2014L00500].

Commissioner of Taxation—Public Rulings—

Class Rulings—


Goods and Services Tax Rulings—


Miscellaneous Taxation Ruling—Addendum—MT 2008/2.

Product Rulings—

Addenda—PR 2013/16 [2].

Taxation Determinations—

Erratum—TD 2014/1.

Taxation Ruling (old series)—Notice of Partial Withdrawal—IT 2503.

Wine Equalisation Tax Rulings—

WETR 2014/1.


*Corporations Act 2001*—


ASIC Class Order—CO 14/394 [F2014L00518].

ASIC Instrument—14/0234 [F2014L00374].

ASIC Market Integrity Rules (ASX Market) Amendment 2014 (No. 2) [F2014L00514].

ASIC Market Integrity Rules (Chi-X Australia Market) Amendment 2014 (No. 2) [F2014L00515].


*Currency Act 1965*—

Currency (Royal Australian Mint) Determination 2014 (No. 2) [F2014L00384].

Currency (Royal Australian Mint) Determination 2014 (No. 3) [F2014L00394].

*Customs Act 1901*—Specified Percentage of Total Factory Costs Determination No. 1 of 2013 [F2013L02198]—Revised explanatory statement.

*Customs Act 1901* and *Customs Administration Act 1985*—CEO Directions No.1 of 2014 [F2014L00428].

*Defence Act 1903*—

Section 58B—


Disturbance allowance and vehicle allowance – amendment—Defence Determination 2014/19.


Post indexes – amendment—Defence Determination 2014/16.


Section 58H—Salaries – Air Force employment categories – amendment—Defence Force Remuneration Tribunal Determination No. 3 of 2014.

*Environment Protection and Biodiversity Conservation Act 1999*—

Amendment – List of Specimens Taken to be suitable for Live Import (25 March 2014)—EPBC/s.303EC/SSLI/Amdn/063 [F2014L00420].

Amendment of List of Exempt Native Specimens – New South Wales Ocean Trap and Line Fishery (6 May 2014) (deletion)—EPBC303DC/SFS/2014/04 [F2014L00509].

Amendment of List of Exempt Native Specimens – New South Wales Ocean Trap and Line Fishery (6 May 2014) (inclusion)—EPBC303DC/SFS/2014/05 [F2014L00510].

Amendment of List of Exempt Native Specimens – Queensland Eel Fishery (17 April 2014)—EPBC303DC/SFS/2014/15 [F2014L00460].
Amendment of List of Exempt Native Specimens – Tasmanian Freshwater Eel Fishery (17 April 2014) — EPBC303DC/SFS/2014/13 [F2014L00461].

Amendment of List of Exempt Native Specimens – Torres Strait Tropical Rock Lobster Fishery (7 May 2014) — EPBC303DC/SFS/2014/17 [F2014L00517].

Amendment of List of Exempt Native Specimens – Victorian Eel Fishery (17 April 2014) — EPBC303DC/SFS/2014/16 [F2014L00463].

Amendment to the list of threatened species under section 178 (159) (2 April 2014) [F2014L00418].

Amendment to the list of threatened species under sections 178, 181 and 183 (160) (16 April 2014) [F2014L00513].

Environment Protection and Biodiversity Conservation Amendment (Heard Island and McDonald Islands) Proclamation 2014 [F2014L00361].

Inclusion in the list of key threatening processes under section 183 (16) (17 April 2014) [F2014L00512].

Inclusion of ecological communities in the list of threatened ecological communities under section 181 – Kangaroo Island Narrow-leaved Mallee (Eucalyptus cneorifolia) Woodland (EC 102) (10 April 2014) [F2014L00465].


Financial Management and Accountability Act 1997—

Determination 2014/05 – Section 32 (Transfer of Functions from DEEWR to Social Services) [F2014L00376].

Determination 2014/06 – Section 32 (Transfer of Functions from Health to Social Services) [F2014L00390].

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Determination 2014/08 – Section 32 (Transfer of Functions from DRET to Industry) [F2014L00488].

Determination 2014/09 – Section 32 (Transfer of Functions from Immigration to Social Services) [F2014L00489].

Determination 2014/10 – Section 32 (Transfer of Functions from Social Services to PM&C) [F2014L00498].

Determination 2014/11 – Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services) [F2014L00499].


Fisheries Management Act 1991—


Fisheries Legislation (Management Plans) Amendment 2013 (No. 1) [F2014L00457].

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Heard Island and McDonald Islands Fishery (Closures) Direction No. 2 2014 [F2014L00521].
Multiple Fishery (Closures) Direction No. 1 2014 [F2014L00487].
Small Pelagic Fishery Management Plan 2009—
Small Pelagic Fishery Overcatch and Undercatch Determination 2014 [F2014L00464].
Small Pelagic Fishery Total Allowable Catch (Quota Species) Determination 2014 [F2014L00452].
Small Pelagic Fishery Management Plan Amendment 2013 [F2014L00458].
Food Standards Australia New Zealand Act 1991—
Food Standards (A1085 – Food derived from Reduced Lignin Lucerne Line KK179) Variation [F2014L00455].
Higher Education Support Act 2003—
Higher Education Provider Approvals—
No. 2 of 2014 [F2014L00373].
No. 3 of 2014 [F2014L00442].
Revocation of approval as a VET Provider (Navitas Professional Training Pty Ltd) [F2014L00410].
VET Provider Approvals—
No. 17 of 2014 [F2014L00380].
No. 18 of 2014 [F2014L00381].
No. 19 of 2014 [F2014L00382].
No. 20 of 2014 [F2014L00385].
No. 21 of 2014 [F2014L00437].
No. 22 of 2014 [F2014L00439].
No. 23 of 2014 [F2014L00440].
No. 24 of 2014 [F2014L00441].
No. 25 of 2014 [F2014L00504].
No. 26 of 2014 [F2014L00447].
No. 27 of 2014 [F2014L00526].
Lands Acquisition Act 1989—Statement describing property acquired by agreement for specified purposes.
Legislative Instruments Act 2003—List of legislative instruments due to sunset on 1 October 2015.
Migration Act 1958—
Determination – The Collection of the Registration Status Charge—IMMI 14/027 [F2014L00501].
Migration Amendment (Credit Card Surcharge) Regulation 2014—Select Legislative Instrument 2014 No. 39 [F2014L00421].
Migration Regulations 1994—
Circumstances in which a Credit Card Surcharge is Waived or Refunded—IMMI 14/033 [F2014L00425].
Classes of Persons—IMMI 14/035 [F2014L00444].
Specified Place—IMMI 14/030 [F2014L00364].
Transit Passengers who are Eligible for a Special Purpose Visa—IMMI 14/029 [F2014L00450].
Statements under section 33—1 January to 30 June 2014 [3].
National Health Act 1953—
Amendment Determination under section 84AH (2014) (No. 2)—PB 33 of 2014 [F2014L00412].
National Health Determination under paragraph 98C(1) (b) Amendment 2014 (No. 3)—PB 19 of 2014 [F2014L00357].
National Health Determination under paragraph 98C(1) (b) Amendment 2014 (No. 4)—PB 29 of 2014 [F2014L00401].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2014 (No. 3)—PB 21 of 2014 [F2014L00360].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2014 (No. 4)—PB 31 of 2014 [F2014L00438].
National Health (Highly specialised drugs program for hospitals) Special Arrangement Amendment Instrument 2014 (No. 3)—PB 20 of 2014 [F2014L00372].
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National Health (Listed drugs on F1 or F2) Amendment Determination 2014 (No. 2)—PB 22 of 2014 [F2014L00358].
National Health (Listed drugs on F1 or F2) Amendment Determination 2014 (No. 3)—PB 32 of 2014 [F2014L00413].
National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2014 (No. 4)—PB 27 of 2014 [F2014L00399].
National Health (Paraplegic and Quadriplegic Program) Special Arrangement Amendment Instrument 2014 (No. 5)—PB 35 of 2014 [F2014L00427].
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Native Title Act 1993—Native Title (Assistance from Attorney-General) Amendment Guideline 2013 [F2013L02084]—Revised explanatory statement.

Ozone Protection and Synthetic Greenhouse Gas Management Act 1989—Grant of exemptions under section 40—

John Holland Aviation Services Pty Ltd—No. S40E28791691.

Tadmar Investments Pty Ltd as Trustee for The Davies Family Trust—No. S40E16741974.


Privacy Act 1988—

Privacy (Credit Related Research) Rule 2014 [F2014L00503].

Privacy (Credit Reporting) Code 2014 (Version 1.2) [F2014L00459].

Private Health Insurance Act 2007—

Private Health Insurance (Complying Product) Amendment Rules 2014 (No. 3) [F2014L00392].

Private Health Insurance (Complying Product) Amendment Rules 2014 (No. 4) [F2014L00398].

Private Health Insurance (Incentives) Amendment Rules 2014 (No. 1) [F2014L00397].


Remuneration Tribunal Act 1973—


Remuneration and Allowances for Holders of Public Office—Remuneration Tribunal Determination 2014/06 [F2014L00505].


Superannuation Industry (Supervision) Act 1993—


Superannuation Industry (Supervision) modification declaration—No. 1 of 2014 [F2014L00393].
Taxation Administration Act 1953—Pay as you go withholding – Variation to remove the requirement to withhold from payments for certain US resident entertainers and sport persons [F2014L00379].

Telecommunications Act 1997—
Carrier Licence Conditions (NT Technology Services Pty Ltd) Declaration 2014 [F2014L00490].
Carrier Licence Conditions (Urban Renewal Authority Victoria t/a Places Victoria Pty Ltd) Declaration 2014 [F2014L00491].

Therapeutic Goods Act 1989—
Therapeutic Goods Information (Information about Advisory Committee Meetings) Specification 2014 [F2014L00448].
Therapeutic Goods (Medical Devices) Amendment (Joint Replacements) Regulation 2014—Select Legislative Instrument 2014 No. 44 [F2014L00456].

Veterans' Entitlements Act 1986—
Statements of Principles concerning acute stress disorder—
No. 41 of 2014 [F2014L00469].
No. 42 of 2014 [F2014L00470].
Statements of Principles concerning atrial fibrillation and atrial flutter—
No. 49 of 2014 [F2014L00481].
No. 50 of 2014 [F2014L00482].
Statements of Principles concerning chronic multisymptom illness—
No. 55 of 2014 [F2014L00524].
No. 56 of 2014 [F2014L00525].
Statements of Principles concerning chronic myeloid leukaemia—
No. 47 of 2014 [F2014L00479].
No. 48 of 2014 [F2014L00480].
Statements of Principles concerning chronic obstructive pulmonary disease—
No. 37 of 2014 [F2014L00472].
No. 38 of 2014 [F2014L00475].
Statements of Principles concerning Hodgkin's lymphoma—
No. 35 of 2014 [F2014L00467].
No. 36 of 2014 [F2014L00468].
Statements of Principles concerning malignant neoplasm of the prostate—
No. 53 of 2014 [F2014L00522].
No. 54 of 2014 [F2014L00523].
Statements of Principles concerning malignant neoplasm of the thyroid gland—
No. 39 of 2014 [F2014L00476].
No. 40 of 2014 [F2014L00478].
Statements of Principles concerning mitral valve prolapse—
No. 43 of 2014 [F2014L00471].
No. 44 of 2014 [F2014L00473].
Statements of Principles concerning otitis media—
No. 51 of 2014 [F2014L00483].
No. 52 of 2014 [F2014L00484].
Statements of Principles concerning pleural plaque—
No. 45 of 2014 [F2014L00474].
No. 46 of 2014 [F2014L00477].
Workplace Gender Equality Act 2012—
Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Amendment Instrument 2014 (No. 1) [F2014L00366].

Tabling
The following government documents were tabled:
Australian River Co. Limited—Report for the period 1 December 2012 to 30 November 2013.