INTERNET
The Journals of the Senate are available at

Proof and Official Hansards for the House of Representatives,
the Senate and committee hearings are available at

For searching purposes use
http://parlinfo.aph.gov.au

SITTING DAYS—2015

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>9, 10, 11, 12</td>
</tr>
<tr>
<td>March</td>
<td>2, 3, 4, 5, 16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>May</td>
<td>11, 12, 13, 14</td>
</tr>
<tr>
<td>June</td>
<td>15, 16, 17, 18, 22, 23, 24, 25</td>
</tr>
<tr>
<td>August</td>
<td>10, 11, 12, 13, 17, 18, 19, 20</td>
</tr>
<tr>
<td>September</td>
<td>7, 8, 9, 10, 14, 15, 16, 17</td>
</tr>
<tr>
<td>October</td>
<td>12, 13, 14, 15</td>
</tr>
<tr>
<td>November</td>
<td>9, 10, 11, 12, 23, 24, 25, 26, 30</td>
</tr>
<tr>
<td>December</td>
<td>1, 2, 3</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

<table>
<thead>
<tr>
<th>City</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide</td>
<td>972AM</td>
</tr>
<tr>
<td>Brisbane</td>
<td>936AM</td>
</tr>
<tr>
<td>Canberra</td>
<td>103.9FM</td>
</tr>
<tr>
<td>Darwin</td>
<td>102.5FM</td>
</tr>
<tr>
<td>Hobart</td>
<td>747AM</td>
</tr>
<tr>
<td>Melbourne</td>
<td>1026AM</td>
</tr>
<tr>
<td>Perth</td>
<td>585AM</td>
</tr>
<tr>
<td>Sydney</td>
<td>630AM</td>
</tr>
</tbody>
</table>

For information regarding frequencies in other locations please visit
http://www.abc.net.au/newsradio/listen/frequencies.htm
FORTY-FOURTH PARLIAMENT
FIRST SESSION—SEVENTH PERIOD

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

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

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

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

<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Back, Christopher John</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Bernardi, Cory</td>
<td>SA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Bilyk, Catryna Louise</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Birmingham, Hon. Simon John</td>
<td>SA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Brandis, Hon. George Henry, QC</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Brown, Carol Louise</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Bullock, Joseph Warrington</td>
<td>WA</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Bushby, David Christopher</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Cameron, Hon. Douglas Niven</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Canavan, Matthew James</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>LNP</td>
</tr>
<tr>
<td>Carr, Hon. Kim John</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Cash, Hon. Michaelia Clarke</td>
<td>WA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Colbeck, Hon. Richard Mansell</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Collins, Hon. Jacinta Mary Ann</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Conroy, Hon. Stephen Michael</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Cormann, Hon. Mathias Hubert Paul</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Dastyari, Sam</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Day, Robert John</td>
<td>SA</td>
<td>30.6.2020</td>
<td>FFP</td>
</tr>
<tr>
<td>Di Natale, Richard</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Edwards, Sean</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fawcett, David Julian</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fierravanti-Wells, Hon. Concetta Anna</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fifield, Hon. Mitchell Peter</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Gallacher, Alexander McEachian</td>
<td>SA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Gallagher, Katherine Ruth(3)</td>
<td>ACT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Hanson-Young, Sarah Coral</td>
<td>SA</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Heffernan, Hon. William Daniel</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Johnston, Hon. David Albert Lloyd</td>
<td>WA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Ketter, Christopher Ronald</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Lambie, Jacqui</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>IND</td>
</tr>
<tr>
<td>Lazarus, Glenn Patrick</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>IND</td>
</tr>
<tr>
<td>Leyonhjelm, David Ean</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>LDP</td>
</tr>
<tr>
<td>Lines, Susan</td>
<td>WA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Lindgren, Joanna Maria(4)</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ludlam, Scott</td>
<td>WA</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Macdonald, Hon. Ian Douglas</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Madigan, John Joseph</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>IND</td>
</tr>
<tr>
<td>Marshall, Gavin Mark</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>McAllister, Jennifer(2)</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>McEwen, Anne</td>
<td>SA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>McGrath, James</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>LNP</td>
</tr>
<tr>
<td>McKenzie, Bridget</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>NATS</td>
</tr>
<tr>
<td>McKim, Nicholas James(5)</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>McLucas, Hon. Jan Elizabeth</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Moore, Claire Mary</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Muir, Ricky Lee</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>AMEP</td>
</tr>
<tr>
<td>Nash, Hon. Fiona Joy</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>NATS</td>
</tr>
<tr>
<td>Senator</td>
<td>State or Territory</td>
<td>Term expires</td>
<td>Party</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>--------------------</td>
<td>--------------</td>
<td>---------</td>
</tr>
<tr>
<td>O'Neill, Deborah Mary (1)</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>O'Sullivan, Barry James</td>
<td>QLD</td>
<td>30.6.2020</td>
<td>NATS</td>
</tr>
<tr>
<td>Parry, Stephen Shane</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Payne, Hon. Marise Ann</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Peris, Nova Maree OAM</td>
<td>NT</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Polley, Helen Beatrice</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Reynolds, Linda Karen CSC</td>
<td>WA</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Rhiannon, Lee</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Rice, Janet Elizabeth</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Ronaldson, Hon. Michael</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ruston, Anne Sowerby</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ryan, Hon. Scott Michael</td>
<td>VIC</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Scullion, Hon. Nigel Gregory</td>
<td>NT</td>
<td>30.6.2020</td>
<td>CLP</td>
</tr>
<tr>
<td>Seselja, Zdenko Matthew</td>
<td>ACT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Siewert, Rachel Mary</td>
<td>WA</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Singh, Hon. Lisa Maria</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Sinodinos, Hon. Arthur</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>LP</td>
</tr>
<tr>
<td>Smith, Dean Anthony</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Sterle, Glenn</td>
<td>WA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Urquhart, Anne Elizabeth</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Wang, Zhenya</td>
<td>WA</td>
<td>30.6.2020</td>
<td>PUP</td>
</tr>
<tr>
<td>Waters, Larissa Joy</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Whish-Wilson, Peter Stuart</td>
<td>TAS</td>
<td>30.6.2020</td>
<td>AG</td>
</tr>
<tr>
<td>Williams, John Reginald</td>
<td>NSW</td>
<td>30.6.2020</td>
<td>NATS</td>
</tr>
<tr>
<td>Wong, Hon. Penelope Ying Yen</td>
<td>SA</td>
<td>30.6.2020</td>
<td>ALP</td>
</tr>
<tr>
<td>Wright, Penelope Lesley</td>
<td>SA</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Xenophon, Nicholas</td>
<td>SA</td>
<td>30.6.2020</td>
<td>IND</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Territory</th>
<th>Senator</th>
<th>Party</th>
<th>Senator</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Capital Territory</td>
<td>Gallagher, K.</td>
<td>ALP</td>
<td>Peris, N.M.</td>
<td>ALP</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>Scullion, N. G.</td>
<td>CLP</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J Faulkner), pursuant to section 15 of the Constitution.
(3) Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice C. Milne), pursuant to section 15 of the Constitution.

PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party

Heads of Parliamentary Departments
   Clerk of the Senate—R Laing
   Clerk of the House of Representatives—D Elder
   Acting Secretary, Department of Parliamentary Services—D Heriot
   Parliamentary Budget Officer—P Bowen
<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Minister</td>
<td>Hon. Tony Abbott MP</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon. Nigel Scullion</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>Senator the Hon. Eric Abetz</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister on Counter-Terrorism</td>
<td>Hon Michael Keenan MP</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Women</td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>Hon. Charles Porter MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>Hon. Alan Tudge MP</td>
</tr>
<tr>
<td>Minister for Infrastructure and Regional Development</td>
<td>Hon. Warren Truss MP</td>
</tr>
<tr>
<td>(Deputy Prime Minister)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>Hon. Jamie Briggs MP</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon. Julie Bishop MP</td>
</tr>
<tr>
<td>Minister for Trade and Investment</td>
<td>Hon. Andrew Robb AO MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>Hon. Steven Ciobo MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Trade and</td>
<td>Hon. Steven Ciobo MP</td>
</tr>
<tr>
<td>Investment</td>
<td></td>
</tr>
<tr>
<td>Minister for Employment</td>
<td>Senator the Hon. Eric Abetz</td>
</tr>
<tr>
<td>(Leader of the Government in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Employment</td>
<td>Hon. Luke Hartsuyker MP</td>
</tr>
<tr>
<td>(Deputy Leader of the House)</td>
<td></td>
</tr>
<tr>
<td>Attorney-General</td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td>Minister for the Arts</td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td>(Vice-President of the Executive Council)</td>
<td></td>
</tr>
<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Minister for Justice</td>
<td>Hon. Michael Keenan MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Attorney-General</td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td>Treasurer</td>
<td>Hon. Joe Hockey MP</td>
</tr>
<tr>
<td>Minister for Small Business</td>
<td>Hon. Bruce Billson MP</td>
</tr>
<tr>
<td>Assistant Treasurer</td>
<td>Hon. Joshua Frydenberg MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>Hon. Kelly O'Dwyer</td>
</tr>
<tr>
<td>Minister for Agriculture</td>
<td>Hon. Barnaby Joyce MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Agriculture</td>
<td>Senator the Hon. Richard Colbeck</td>
</tr>
<tr>
<td>Minister for Education and Training</td>
<td>Hon. Christopher Pyne MP</td>
</tr>
<tr>
<td>(Leader of the House)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Education and Training</td>
<td>Senator the Hon. Simon Birmingham</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Education and</td>
<td>Senator the Hon. Scott Ryan</td>
</tr>
<tr>
<td>Training</td>
<td></td>
</tr>
<tr>
<td>Minister for Social Services</td>
<td>Hon. Scott Morrison MP</td>
</tr>
<tr>
<td>Assistant Minister for Social Services</td>
<td>Senator the Hon. Mitch Fifield</td>
</tr>
<tr>
<td>(Manager of Government Business in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Minister for Human Services</td>
<td>Senator the Hon. Marise Payne</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Social Services</td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td>Minister for Industry and Science</td>
<td>Hon. Ian Macfarlane MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Industry and</td>
<td>Hon. Karen Andrews MP</td>
</tr>
<tr>
<td>Science</td>
<td></td>
</tr>
<tr>
<td>Minister for Defence</td>
<td>Hon. Kevin Andrews MP</td>
</tr>
<tr>
<td>Minister for Veterans' Affairs</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Title</td>
<td>Minister</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Assistant Minister for Defence</td>
<td>Hon. Stuart Robert MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>Hon. Darren Chester MP</td>
</tr>
<tr>
<td>Minister for Communications</td>
<td>Hon. Malcolm Turnbull MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Communications</td>
<td>Hon. Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Immigration and Border Protection</td>
<td>Hon. Peter Dutton MP</td>
</tr>
<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td>Minister for the Environment</td>
<td>Hon. Greg Hunt MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>Hon. Robert Baldwin MP</td>
</tr>
<tr>
<td>Minister for Finance</td>
<td>Senator the Hon. Mathias Cormann</td>
</tr>
<tr>
<td>Special Minister of State</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Finance</td>
<td>Hon. Michael McCormack MP</td>
</tr>
<tr>
<td>Minister for Health</td>
<td>Hon. Sussan Ley MP</td>
</tr>
<tr>
<td>Minister for Sport</td>
<td>Hon. Sussan Ley MP</td>
</tr>
<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon. Fiona Nash</td>
</tr>
</tbody>
</table>

Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans' Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
## SHADOW MINISTRY

<table>
<thead>
<tr>
<th>TITLE</th>
<th>SHADOW MINISTER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Leader of the Opposition</strong></td>
<td>Hon. Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon. Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td>Hon. Bernie Ripoll MP</td>
</tr>
<tr>
<td><strong>Shadow Parliamentary Secretary for Small Business</strong></td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senate the Hon. Jacinta Collins</td>
</tr>
<tr>
<td><strong>Shadow Parliamentary Secretary to the Leader of the Opposition</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td></td>
</tr>
<tr>
<td><strong>Deputy Leader of the Opposition</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
<td>Hon. Tanya Plibersek MP</td>
</tr>
<tr>
<td><strong>Leader of the Opposition in the Senate</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Trade and Investment</td>
<td></td>
</tr>
<tr>
<td><strong>Deputy Leader of the Opposition in the Senate</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Veterans' Affairs</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Parliamentary Secretary for Foreign Affairs</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leader of the Opposition in the Senate</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Trade and Investment</td>
<td></td>
</tr>
<tr>
<td><strong>Deputy Leader of the Opposition in the Senate</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Veterans' Affairs</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Parliamentary Secretary for Defence</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Foreign Affairs and International Development</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Women</td>
<td>Senate Claire Moore</td>
</tr>
<tr>
<td>Shadow Minister for the Centenary of ANZAC</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Foreign Affairs</td>
<td>Hon. Matt Thistlethwaite MP</td>
</tr>
<tr>
<td><strong>Leader of the Opposition in the Senate</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Trade and Investment</td>
<td></td>
</tr>
<tr>
<td><strong>Deputy Leader of the Opposition in the Senate</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Veterans' Affairs</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Infrastructure and Transport</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Cities</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Regional Development and Local Government</td>
<td>Hon. Julie Collins MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Infrastructure</td>
<td>Hon. Alannah MacTiernan MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Western Australia</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for External Territories</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Treasurer</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Treasurer</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Competition</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Financial Services and Superannuation</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Treasurer</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Treasurer</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Treasurer</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Veterans' Affairs</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Finance</strong></td>
<td></td>
</tr>
<tr>
<td>Manager of Opposition Business (House)</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Environment, Climate Change and Water</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Environment, Climate Change and Water</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Environment, Climate Change and Water</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Higher Education, Research, Innovation and Industry</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Vocational Education</td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Minister for Higher Education</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Manufacturing</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Higher Education, Research, Innovation and Industry</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Vocational Education</td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Minister for Higher Education</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Manufacturing</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Higher Education, Research, Innovation and Industry</strong></td>
<td></td>
</tr>
<tr>
<td>TITLE</td>
<td>SHADOW MINISTER</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>Shadow Minister for Communications</td>
<td>Hon. Jason Clare MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Communications</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Shadow Attorney General</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for the Arts</td>
<td></td>
</tr>
<tr>
<td>Deputy Manager of Opposition Business (House)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Justice</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Attorney General</td>
<td>Graham Perrett MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Arts</td>
<td>Hon. Michael Danby MP</td>
</tr>
<tr>
<td>Shadow Minister for Education</td>
<td>Hon. Kate Ellis MP</td>
</tr>
<tr>
<td>Shadow Minister for Early Childhood</td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Minister for Education</td>
<td>Hon. Amanda Rishworth MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Education</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Minister for Agriculture</td>
<td>Hon. Joel Fitzgibbon MP</td>
</tr>
<tr>
<td>Shadow Minister for Rural Affairs</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Resources</td>
<td>Hon. Gary Gray AO MP</td>
</tr>
<tr>
<td>Shadow Minister for Northern Australia</td>
<td></td>
</tr>
<tr>
<td>Shadow Special Minister of State</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Northern Australia</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Minister for Health</td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Minister for Health</td>
<td>Hon. Catherine King MP</td>
</tr>
<tr>
<td>Shadow Minister for Mental Health</td>
<td>Stephen Jones MP</td>
</tr>
<tr>
<td>Shadow Minister for Sport</td>
<td>Sen. Hon. Jan McLucas</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Health</td>
<td>Hon. Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Health</td>
<td>Nick Champion MP</td>
</tr>
<tr>
<td>Shadow Minister for Families and Payments</td>
<td>Hon. Jenny Macklin MP</td>
</tr>
<tr>
<td>Shadow Minister for Disability Reform</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Human Services</td>
<td>Sen. the Hon. Doug Cameron</td>
</tr>
<tr>
<td>Shadow Minister for Housing and Homelessness</td>
<td>Sen. the Hon. Jan McLucas</td>
</tr>
<tr>
<td>Shadow Minister for Carers</td>
<td>Sen. Claire Moore</td>
</tr>
<tr>
<td>Shadow Minister for Communities</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Families and Payments</td>
<td>Sen. Carol Brown</td>
</tr>
<tr>
<td>Shadow Minister for Immigration and Border Protection</td>
<td>Hon. Richard Marles MP</td>
</tr>
<tr>
<td>Shadow Minister for Citizenship and Multiculturalism</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Hon. Matt Thistlethwaite MP</td>
</tr>
<tr>
<td>Shadow Minister for Indigenous Affairs</td>
<td>Hon. Shayne Neumann MP</td>
</tr>
<tr>
<td>Shadow Minister for Ageing</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Indigenous Affairs</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Aged Care</td>
<td>Sen. Helen Polley</td>
</tr>
<tr>
<td>Shadow Minister for Employment and Workplace Relations</td>
<td>Hon. Brendan O'Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Employment Services</td>
<td>Hon. Julie Collins MP</td>
</tr>
</tbody>
</table>
CONTENTS

WEDNESDAY, 9 SEPTEMBER 2015

Chamber
DOCUMENTS—
Tabling.................................................................................................................. 6323

COMMITTEES—
Parliamentary Joint Committee on Law Enforcement—
National Broadband Network Select Committee—
Meeting .................................................................................................................. 6323

BILLS—
Banking Laws Amendment (Unclaimed Money) Bill 2015—
Second Reading........................................................................................................ 6323
Third Reading........................................................................................................... 6326

Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015—
First Reading .......................................................................................................... 6326
Second Reading ........................................................................................................ 6327
Third Reading .......................................................................................................... 6342

Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015—
Second Reading ...................................................................................................... 6342

STATEMENTS BY SENATORS—
Australian Defence Force...................................................................................... 6370
Workplace Relations ............................................................................................... 6372
Threatened Species Day .......................................................................................... 6374
National Bilby Day .................................................................................................. 6374
Cummings, Mr James Bartholomew, OAM ............................................................. 6377
Syria ......................................................................................................................... 6379
Arts............................................................................................................................. 6379
Parliamentary Behaviour ......................................................................................... 6381
Tasmania: Employment ............................................................................................ 6383
Australian Capital Territory ..................................................................................... 6385
Students Against Racism ......................................................................................... 6387

STATEMENTS—
Queen Elizabeth II .................................................................................................. 6388

STATEMENT BY THE PRESIDENT—
Parliamentary Behaviour ....................................................................................... 6389

MINISTERIAL ARRANGEMENTS........................................................................... 6390

QUESTIONS WITHOUT NOTICE—
National Disability Insurance Scheme ................................................................ 6390
Asylum Seekers: Europe .......................................................................................... 6391

DISTINGUISHED VISITORS............................................................................. 6392

QUESTIONS WITHOUT NOTICE—
Economy .................................................................................................................. 6393
Syria .......................................................................................................................... 6395
Trade with China ...................................................................................................... 6396
Renewable Energy ................................................................................................... 6397
Trade with China ...................................................................................................... 6399
CONTENTS—continued

Taxation.............................................................................................................. 6400
Trade with China................................................................................................. 6402
Trade with China................................................................................................. 6403
Higher Education................................................................................................. 6405
MOTIONS—
  Syria ........................................................................................................ 6406
QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS—
  Economy ........................................................................................................ 6413
  Syria ........................................................................................................ 6419
NOTICES—
  Presentation...................................................................................................... 6420
BUSINESS—
  Leave of Absence .......................................................................................... 6424
COMMITTEES—
  Reporting Date ............................................................................................... 6424
MOTIONS—
  Dementia ......................................................................................................... 6424
  Queen Elizabeth II........................................................................................... 6425
  Brock, Mr Peter, AM ....................................................................................... 6425
  Electricity Costs ............................................................................................... 6425
DOCUMENTS—
  Centrepay—
    Order for the Production of Documents ....................................................... 6426
MOTIONS—
  Custodial Notification Service ......................................................................... 6427
  Australian Defence Force ................................................................................. 6427
  Newcastle City Council: Investment ................................................................. 6428
DOCUMENTS—
  Consideration .................................................................................................. 6429
COMMITTEES—
  Scrutiny of Bills Committee—
    Report........................................................................................................... 6430
  Parliamentary Joint Committee on Human Rights—
    Report........................................................................................................... 6430
  Treaties Committee—
    Report........................................................................................................... 6433
  Public Accounts and Audit Committee—
    Report........................................................................................................... 6435
  Education and Employment Legislation Committee—
    Membership.................................................................................................... 6435
BILLS—
  Water Amendment Bill 2015—
    First Reading................................................................................................ 6436
    Second Reading.............................................................................................. 6436
  Social Services Legislation Amendment (No. 2) Bill 2015—
    Returned from the House of Representatives .............................................. 6440
CONTENTS—continued

Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015—
Second Reading.................................................................................................................. 6441
FIRST SPEECH ..................................................................................................................... 6444
BILLS—
Water Amendment Bill 2015—
Second Reading.................................................................................................................. 6449
ADJOURNMENT—
Queen Elizabeth II............................................................................................................. 6476
Canning Electorate ............................................................................................................ 6478
Education Funding ............................................................................................................ 6480
Rural Women's Award....................................................................................................... 6481
DOCUMENTS—
Tabling.............................................................................................................................. 6484
Tabling.............................................................................................................................. 6484
Departmental and Agency Files ......................................................................................... 6484
Wednesday, 9 September 2015

The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

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

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

COMMITTEES

Parliamentary Joint Committee on Law Enforcement

National Broadband Network Select Committee

Meeting

The Clerk: Proposals to meet have been lodged as follows: by the Parliamentary Joint Committee on Law Enforcement for a public hearing today from 5.45 pm and for public hearings on 14 October and 11 November from 5.45 pm; and the Select Committee on the National Broadband Network for a public hearing on 14 September from 10 am.

The PRESIDENT (09:31): Does any senator wish to have the question put on any of those motions? There being no request, we shall proceed.

BILLS

Banking Laws Amendment (Unclaimed Money) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:32): There was a late flurry of interest towards the end of yesterday in relation to this bill, but it would seem that the interest has been satisfied. As no other colleagues wish to speak, I will sum up the debate. I thank colleagues for their contribution to the debate.

In 2012 the previous government reduced the required period of inactivity to three years before funds in bank accounts and life insurance policies could be transferred to the Australian Securities and Investments Commission. As a result the value of unclaimed money transferred to ASIC grew more than eightfold in a single year. Much of this money, however, was not what you might call 'truly unclaimed' and the previous government's changes left many Australian families in a position of financial distress. It also imposed a large red-tape cost on industry, which had to transfer accounts to and then reclaim them from ASIC on behalf of their customers, often in the same year. The government is strongly of the belief, as evidenced by this legislation, that this situation must not continue.

The policy is a personal legacy of the Leader of the Opposition Bill Shorten who was the financial services minister at the time of the change. At the time Mr Shorten pretended that he
was doing a favour to people who had forgotten the existence of their saving accounts, and he perversely described the seizures as a 'windfall' for anyone who might later recover their lost money and go looking for their misplaced money. I will just remind you, Mr President, in case you have forgotten, of what he said:

It's actually surprisingly easy to misplace money, through a simple mistake like forgetting to update your address when you move.

And he added:

It's likely that some proportion of that windfall belongs to people living in Melbourne's western suburbs, and my electorate of Maribyrnong.

The reality was that Mr Shorten's bank account seizure legislation was blind as to the memory or intentions of people who held the accounts that were being confiscated. It is quite normal for people to deliberately hold over savings undisturbed, whether for a rainy day or for a major expense like a house deposit or as an inheritance for their children. There are thousands of Australians who were horrified to find that their accounts had been emptied out by Mr Shorten at the very time that they needed to access their funds. To recover their funds, they had to pass through red tape, as I have mentioned, and delay. This red tape was particularly difficult in some family situations where the account holder had moved overseas or where they had passed away and willed their money to relatives and other beneficiaries of their estate.

But why did Labor really change the law in 2012? It is not really a rhetorical question—I am not expecting a response from you, Mr President—but let me answer. Immediately before Labor imposed the three-year rule, they were claiming that they would deliver a $1.5 billion surplus for 2012-13, but they knew—I think we all knew—that they were in serious trouble to achieve that target. It is no coincidence that Labor came up with the cash grab after they had pinned their reputations on a surplus. The panicked cash grab was just about stringing out an illusion of a surplus, an illusion that ultimately proved to be false by a very long way. The Labor measure was a cash grab conceived purely for political reasons rather than sincere policy reasons. When the coalition government announced that we would scrap this Labor policy, Mr Shorten stood by his policy on unclaimed savings, pitching it as a consumer protection measure. He argued at the time, 'This is about protecting people's savings to ensure it's not eroded by bank fees and charges.' Several Labor Party members told *The Sydney Morning Herald* that they were privately embarrassed about the policy.

This bill sets things right. In order to protect account holders and industry, this bill returns the required period of inactivity before funds can be transferred from bank accounts or life insurance policies to seven years—that is, once they are truly unclaimed. This bill further bolsters the government's commitment to only receiving truly unclaimed accounts by also making changes to the notification requirements to ensure that, even after seven years of inactivity, if an account holder lets their financial institution know that they are aware of those funds in any way prior to their transfer to ASIC, such as by checking the balance online, they will remain in the control of the account holder.

In recognition of how Australians use different financial products, this bill will also exempt children's accounts and foreign currency accounts from the unclaimed moneys provisions entirely. Foreign currency accounts are primarily used by sophisticated consumers to settle complex business transactions. However, transferring foreign currency accounts to ASIC not
only risks disrupting these processes but also risks exposing the account holder to a loss, as their funds must be converted to Australian dollars at the prevailing exchange rate before they can be transferred. In line with the government's commitment to protect Australian businesses from excessive red tape, these types of products should rightfully be exempt from the unclaimed moneys provisions. In addition, many Australians set money aside for their children's future and they trust that this money will continue to grow in value and be available for their children when they are ready. In line with how the community uses these products and to ensure that parents can be sure that their investment in their family's future remains safe, children's accounts will never again be transferred to ASIC.

Finally, this bill introduces new privacy protections for those Australians with unclaimed accounts. To protect account holders from exploitation or even identity theft, this bill introduces secrecy provisions to restrict freedom of information requests generally to an individual's own details and removes the requirement for ASIC to publish an unclaimed moneys gazette. This bill contributes to the government's promise to reform the unclaimed moneys provisions and the government's promise to reduce red tape by a billion dollars each and every year.

It was only this week, when the bill was debated in the House of Representatives, that Labor recanted its position and admitted that it had got things wrong. Dr Leigh, the shadow assistant Treasurer, said:

> It is important to get the balance right, …

… what we are debating here is the correct duration after which unclaimed money should be moved into ASIC.

Dr Leigh sought to make it sound like a minor clerical error, that Labor had more than halved the period before the government seizes the hard-earned savings of its citizens. He ignores the other safeguards that we have added into this bill, which I have outlined. These reforms are about much more than lengthening time frames.

This is not the first Labor assault on the savings of Australians that we have overturned. Last week the Prime Minister and Treasurer also confirmed that we will be dumping Labor's bank deposit tax. This decision not to proceed with implementing the bank deposit tax adopts a key recommendation of the financial system inquiry and comes after extensive consultations with stakeholders and the community. Labor's proposed bank deposit tax would have imposed costs of $1.5 billion on Australians with bank savings. It would have damaged competition in the banking sector by putting regional and community banks at a disadvantage relative to the big four banks and further disadvantage hardworking Australians.

The Labor Party announced the bank deposit tax on the eve of the last election. Then Treasurer, Chris Bowen, booked the revenue with a start date of 1 January 2016 but failed to legislate the change. Labor's bank deposit tax would have been yet another cash grab that penalised Australians for being financially responsible. I think we know on this side of the chamber that these sorts of Labor habits do die hard.

Our action in today's bill and in the announcement of last week reflects the government's determination to deliver lower, simpler and fairer taxes. We have scrapped the carbon tax—I think that bears repeating; we have scrapped the mining tax—I think that bears repeating; and
we have delivered the biggest tax cut ever to small business, which was extremely well received after the last budget. The government has also dumped Mr Shorten's raid on inactive bank accounts, the matter we are discussing today. In total we have reduced the overall tax burden on Australians by nearly $7 billion since coming to office.

A stable, well-regulated financial system is critical to our economic confidence and prosperity. The Australian Prudential Regulation Authority is taking steps to strengthen the Australian banking sector by bolstering bank capital levels, reducing the risk of failure and mitigating the costs if a failure does occur. I think we can and should be very proud of the prudential arrangements that we do have in Australia. The government remains committed to guaranteeing deposits up to $250,000 per account holder per financial institution as well.

This bill is an important reform. It is fair and it is responsible. It reverses a cash grab by the opposition that was done purely for cosmetic purposes, to help Labor claim that it was heading towards a fictional surplus. The bill, as I have outlined, provides for red-tape savings for business of $36 million by extending the period of inactivity to seven years. In addition, there will be red-tape savings for an estimated 19,982 account holders each year. There are countless stories of how Labor’s legislation left many Australians financially stressed. As a result of today’s changes, many Australians will no longer have to come cap in hand to the government and fill out onerous paperwork to reclaim what was theirs in the first place.

This bill puts an end to bad policy and adds important safeguards into the unclaimed money laws. This is an important piece of legislation and I commend it to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

The PRESIDENT (09:45): 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 FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:45): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015

First Reading

Bills received from the House of Representatives.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:45): I move:

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

Question agreed to.

Bill read a first time.
Second Reading

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:46): I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

BROADCASTING LEGISLATION AMENDMENT (PRIMARY TELEVISION BROADCASTING SERVICE) BILL 2015

The Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015 provides the national and commercial free-to-air broadcasters with the flexibility to deliver programming on their primary television services in either standard definition or high definition formats. Broadcasters’ primary television services include ABC1, SBS ONE, 7, Prime7, Nine, WIN and Ten, and these services are subject to particular obligations regarding Australian content, captioning and anti-siphoning.

At present, free-to-air broadcasters are required to provide their primary television service in standard definition. This is a relic of the analog era, introduced at the start of the digital television switchover process to ensure that viewers would have access to at least one digital channel per broadcaster. At the time not all televisions and set-top boxes were capable of receiving high definition content.

This Government is committed to removing unnecessary and outdated regulations that hamper industry from providing services that respond to audience preferences.

The Government has implemented a range of initiatives to remove red tape through its deregulation work program, which was initiated in the Communications portfolio with the release of the Deregulation Roadmap in May 2014.

This Roadmap committed the Government to undertake a review of the free-to-air digital television regulatory framework to ensure it is fit-for-purpose for the next wave of innovation in the media sector.

The first stage of that review involved the identification of provisions that were redundant or spent following the completion of Australia’s switch to digital-only television.

The second stage began in January this year, when the Department of Communications released a consultation paper seeking the views of the public and industry on future arrangements for digital television regulation.

The proposal to allow broadcasters to provide their primary service in either standard or high definition received strong support from the general public and free-to-air broadcasters.

High definition television equipment is now virtually ubiquitous in Australian homes. A Newspoll survey conducted in February 2014 after the completion of the digital switchover process found that 96 per cent of all households had a main television set or set-top box that was capable of receiving high definition content. It is expected that this figure has grown, with high definition capability generally standard in televisions and set-top boxes currently on the market.

Moreover, with the completion of digital switchover and the availability of a range of new television services, many Australians now expect premium free-to-air programming to be provided in high definition – especially events such as live sports.

The Bill responds to these developments and amends the Broadcasting Services Act 1992 to allow the primary service to be provided in either standard or high definition. It does not change any other
existing arrangements regarding the primary service such as captioning, Australian content or anti-siphoning requirements.

The anti-siphoning scheme requires any listed events to be televised first on a broadcaster's primary service. The Bill will allow broadcasters to meet this obligation while also having the option of providing anti-siphoning events in high definition.

Indeed, the Bill is being introduced now to provide broadcasters with the flexibility to broadcast upcoming events such as this year's AFL and NRL Grand Finals in high definition, should they chose to do so.

The Government is committed to reducing the regulatory burden for business, including the media industry. This Bill will provide free-to-air broadcasters with greater flexibility to innovate and evolve to incorporate new technologies, ensuring they continue to remain relevant in a changing media environment.

Senator KIM CARR (Victoria) (09:46): On behalf of the Labor Party, I would like to indicate our support for the Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015. This amendment to the Broadcasting Services Act will allow commercial and national broadcasters the flexibility to provide their broadcasts in either standard definition or high definition. I will give a little context as to why this amendment is necessary. When the switchover began to digital television, Australia needed to ensure that all Australians across the nation did not lose access to the television content that they know and love. This was important at that time given the take-up and access to digital enabled televisions and set-top boxes was relatively small. As has been pointed out in other places, more than 96 per cent of all Australian householders now have access to high-definition televisions or set-top boxes. The survey was done by Newspoll in 2014 and we can safely assume that the percentage of households which now have access to high-definition content is even higher.

The other important aspect of the amendment will be to allow both commercial and national broadcasters to meet their requirements with regard to the anti-siphoning scheme that required all broadcasters to televise all listed events on their primary service. For example, this has meant that for broadcasters to meet their obligations they have had to broadcast the Ashes, the NRL and the AFL grand finals on standard definition. The intention was to ensure that all Australian homes continued to have access to the listed events that they had a right to expect while access to high-definition television sets and boxes at that time was relatively small, but, given the change in circumstances, it is evident, with the high number of households accessing high-definition enabled devices, that this protection is no longer needed. The amendment will ensure that there is an even playing field between the free-to-air and pay TV broadcasters, allowing all to broadcast listed events on either standard or high definition. For that reason, the Labor Party will support the bill, although we have expressed some concern that it has taken the government so long to have this matter put before the parliament.

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (09:49): I also rise to speak in support of the Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015.

Senator McEwen: Do you even know what it is?

Senator BUSHBY: I do. The legislation that we have surrounding—
Senator Kim Carr: Why has the government got so many speakers on a non-controversial bill? Why is this necessary?

An opposition senator: They want to talk about their footy teams.

Senator Kim Carr: Why is it so on non-controversial legislation?

The ACTING DEPUTY PRESIDENT (Senator Smith): Order! Senators on my left are reminded that the standing orders require senators to be heard in silence.

Senator BUSHBY: Thank you, Mr Acting Deputy President. There is a lot of legislation and regulation that relates to broadcasting services. It is difficult to make a worthwhile contribution when you are constantly being interrupted by interjections. The fact is that, at this time of year in particular, it is important that the broadcasting companies have the opportunity to put forward the best possible alternatives in terms of the finals for both the major football codes that are played in Australia. This bill is timely and important in being able to make that possible, and I commend it to the Senate.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (09:50): I commend the whip on a marvellous contribution to this bill which was previously given. The Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015 amends the Broadcasting Services Act 1992 principally to allow free-to-air broadcasters to deliver programming on their primary television service in either standard-definition or high-definition formats.

In the past there has been a requirement for the main channel of a television network to broadcast only in standard definition. This was principally brought into place a number of years ago because the majority of people who had televisions were not able to get access to the high-definition format. In the interests of equity and universal reach for people to access their primary television channel it was essential to mandate that the television networks have a format that would allow everybody to access that particular format for their television broadcast.

Since that time we have seen a massive proliferation of different types of formats and different media through which we see our television networks broadcast. Most of them have many different channels, and it has been allowed that on those other channels they are able to broadcast in high-definition format. However, we have continued to require the broadcasters to broadcast their primary television service in standard definition.

This bill seeks to allow the broadcasters to transmit high definition—and this is particularly relevant, as Senator Bushby pointed out in his contribution—for sporting activities such as the grand finals of the two major codes of football. Obviously high-definition television is a superior form of broadcast. We have found that almost everybody in Australia will have access to high-definition television. My understanding is that that there is almost nobody who will not be able to access high definition. We know that across Australia, if you look at both the codes—the NRL and the AFL—there are not too many people who do not like to watch the footy final and to have the opportunity to watch in high-definition television, which is obviously something that I think a majority of Australians would welcome. The purpose of the bill is to allow that to occur.

The reform arose from the review of the digital television regulatory framework which was conducted during the past year. The proposal received strong support from free-to-air
broadcaster, but most particularly the reforms received overwhelming support from the public.

The primary broadcasting service is the main service of a free-to-air broadcaster and they allocate a traditional service. When you turn your television on to Channel 7, Channel 9 or Channel 10, that is their primary service. They then have a number of other services that sit behind it which are not their primary service. These obligations relate to matters such as Australian content, captioning and antisiphoning. The primary broadcast channel has a series of rules that apply to it that do not apply to their subsidiary services. As I said, the primary services include Channel 7, Channel 9, Channel 10 and the main stations of the ABC and SBS. In general these five main services attract higher audiences than the multichannels. That is the reason why in the past the government has always sought to possibly regulate in a more robust and stricter way the primary channels of the broadcasters, whereas the multichannels that they put on for additional content are probably less regulated and have greater scope for flexibility.

Why are these requirements needed? Basically the requirement for broadcasters to provide their primary service in standard definition was introduced at the start of the digital switch-over process, which was over 10 years ago. It was a time when it would have been very easy for the main channels to switch over to high definition. Ensuring and mandating that they stayed at standard definition allowed a more seamless transition so that we did not find that people were left without adequate service. At the time, many of the television sets were not able to receive high definition, and not all set-top boxes were able to receive high-definition content. So basically the government wanted to ensure that viewers would have access to at least one digital channel per broadcaster. However, you will find that nowadays high-definition television equipment can be found in just about every home in Australia. I think a Newspoll survey conducted early last year after the completion of the digital switch-over found that 96 per cent of all households had a main television set or a set-top box capable of receiving high-definition content. It is expected that this figure has probably grown since then. The capability generally in the market is that nobody who is buying a new television now is buying a television that would not be able to access high definition. So the requirement to provide a primary channel in standard definition is largely obsolete. It also prevents broadcasters from providing services that respond to the audience preferences. As I mentioned earlier, overwhelmingly the public were in support of allowing the main broadcast channel to be able to access high-definition television format.

The bill does not actually require the broadcaster to provide their primary service in high definition; it gives them the opportunity to do so. We are not requiring them to broadcast their primary service in high definition but they will have the option of being able to provide the service in either high definition or standard definition depending on what the individual channel's market is demanding. Basically the reform will provide broadcasters with greater flexibility to make decisions about the types of services they offer in responding to customer demand. As you would probably agree, Mr Acting Deputy President, if we can give greater flexibility to our customers, our consumers and the people of Australia then we are certainly doing our job. It is not our job to be restrictive and over-prescriptive in the regulation that we place on consumers about what they can access—particularly in this space, which is an entertainment space; it is certainly not an essential service.
The question that was asked when we went out to the community was, 'Why is it important that services can be provided in high definition?' The fact is that we have seen an explosion of technology. Newer technology is driving consumer expectations. The free-to-air broadcasters need to have the opportunity to take advantage of this new technology and what it can deliver to consumers in terms of a higher quality broadcast. We are now seeing—particularly with the proliferation of different media on which consumers can get access to news, content, movies or whatever it happens to be—that people have an expectation that the quality of the service they are getting is going to be extremely high. As I said, the main television channels are predominantly the channels that people are watching—they have a higher audience reach than the multichannel transmissions—so it does not seem like an unreasonable expectation that the quality of the transmission of those main channels is as high as it possibly can be. The technology that is able to deliver that is available to those networks.

High-definition content is currently available pretty much across the whole of the pay TV networks, such as Foxtel, Netflix and Stan. All of those have high definition. It is particularly in sporting broadcasts that we can see the difference, Mr Acting Deputy President. You are probably not going to notice a great deal of difference when you are watching your nightly episode of Neighbours. But when you are watching the football final you probably will notice that the quality capability of high definition will give you a much better experience when you are watching Port Power or the Crows surge to victory in the grand final of this year's AFL.

Senator Canavan: What have you got against Ramsay Street?

Senator RUSTON: I have nothing against Ramsay Street, but I was just pointing out to the Acting Deputy President that he may not notice the difference when he is watching Neighbours tonight, as I am sure he probably does!

While the free-to-air broadcasters provide high definition on their multichannels and they are restricted or prevented from providing it on their primary channels, it means that they are actually prevented from using high-definition TV on what are usually their highest-rating programs. It does seem quite crazy that the best possible technologies we have available for presentation of our media are denied to the channels that actually have the greatest audience. The whole process of this has been worked through over the last 10 years, and we now see that this particular piece of regulation is obsolete.

There is an expectation by the public that they will be able to get high definition, and it is the live sporting events that are the current topic of great discussion. They were probably the catalyst for this particular piece of legislation coming up for debate, seeking to change this regulation. We now have such a expectation of high-definition content that we do need to ensure that when the football finals come around in a couple of weeks' time that we are able to provide the highest-quality content for those. So it is imperative that we get this bill passed through this place so that the majority of Australians who are going to sit down with a nice cold beer, a glass of wine or a glass of Coke and watch the football finals will be able to do so with the highest-quality content possible.

How many viewers have access to high-definition television? As I said, about 96 per cent were found to have access to high-definition television over 18 months ago. Given the fact that many people are likely to have changed over their old televisions in the intervening period, one would expect that that is getting closer to the 100 per cent mark. There will always be a few people who will not have access to high-definition capability on their
televsions, but certainly the majority of Australians will. Unfortunately, in many instances, you can only govern for the majority but, given that the overwhelming majority is getting up to 97, 98 or 99 per cent of the population, it seems like a reasonable thing that we now seek to rectify this anomaly in the system that says we have to have the worst-definition television on our primary channels when we otherwise have access to high-definition. The time has come, now that the digital transformation has taken place.

How can viewers who currently do not have access to high-definition TV get access to high-definition services? Viewers can receive high-definition channels using high-definition-capability compatible TVs or set-top boxes. The cost of a high-definition set-top box is relatively low. If somebody is listening to this particular debate and does not have access to high-definition television, for the very small cost of $40 or $50 they would be able to get a set-top box to access high-definition television and therefore, subject to the successful passage of this particular bill through the Senate today, get access to the football finals in high definition, should that be the will of this chamber.

One of the other questions that has come up is whether the amendments will affect the provision of captioning services on the primary television channel. We saw in a recent inquiry how terribly important captioning services are, particularly for our hearing-impaired population. This will not have any impact on that. Captioning services on the primary service will continue to exist, and the primary services are the key mechanism for meeting the captioning requirements. This will not change at all with the introduction of this bill.

People with disabilities will also be able to access broadcast to primary services if they are provided in high definition. The equipment can now be found in almost every Australian home. If you are without the compatible equipment, you can easily get access to it. As I said, given the high use by hearing-impaired people—particularly for the use of television services—I would be quite surprised if there were terribly many people who had a hearing impairment who were not able to access high definition. Certainly, if they could not, it is a reasonably easy fix for them to get access to it.

Why are the amendments regarding the Viewer Access Satellite Television service required? The amendments contained in this bill are minor, technical amendments which are required for the transmission of the primary services by free-to-air satellite broadcasters such as VAST. VAST providers broadcast services sourced from terrestrial broadcasters. These services include the primary service transmitted by the terrestrial broadcaster. This additional amendment makes some amendments to the technicalities that sit behind the provision of primary services via the free-to-air satellite broadcasters and will allow the terrestrial broadcasters to provide their primary services in high definition. It also allows the satellite broadcasters to transmit those particular services in high definition.

These minor amendments are required for the transmission of local news programs by free-to-air satellite broadcasters. Regional commercial television broadcasters must provide local news programming to a satellite broadcaster. At present, those programs must be broadcast on satellite using standard definition format. Obviously, we need to make sure that the changes that we are making more broadly, in the sense of allowing high-definition broadcasting format, are also extended to the satellite services that are subsidiary to that but which are very important to people who live in rural and regional areas. One thing that we always need to be mindful of is that whilst the majority of people in Australia live in our metropolitan areas,
these sorts of services are equally important and relied upon, if not more so, in our country areas. It will ensure that our satellite broadcasters also have the capacity to access the opportunity to broadcast in high definition equally available to them. It is possible that a regional broadcaster may choose to broadcast their news in high definition, but equally they have the same capacity as the main broadcasters: if they choose to remain on standard definition then they are entitled to do so.

To reflect the change in terms of the satellite change, the bill makes consequential amendments to allow the satellite broadcaster to broadcast local news programs on one or more of its standard definition channels in high definition. Once again, it gives greater flexibility to the satellite broadcaster regarding the format that it can use to transmit its local news programs—which, as I said, are so terribly important in our rural, regional and remote communities around Australia.

The bill does not effect the anti-siphoning scheme and it will not alter the current applications of the anti-siphoning scheme. So consequential amendments to the scheme will be required as a result of these amendments, to allow free-to-air broadcasters to transmit their primary service in standard definition or high definition. These consequential amendments will ensure that the current rules continue to apply in the event of broadcasters electing to change their primary service from standard definition to high definition. The bill equally will have no effect on the negotiation of sports rights, so neither the primary nor the consequential amendments of the bill will affect negotiations for sports rights. The negotiation of sports rights will continue to be a commercial arrangement between the broadcaster and the relevant sporting body. As we can see, this is a bill that just seeks to rectify some things that occur simply through the passing of time.

Senator SMITH (Western Australia) (10:10): The Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill is one of a number of broadcasting matters that I expect we will start to see over the life of this parliament going forward. I know that travelling around the halls and corridors of this building at the moment are regional television broadcasters keen for parliamentarians to better understand some of the challenges being faced by regional television and, more importantly, some of the real risks to regional consumers of broadcasting services as a result of some of the very real commercial and technological changes that are happening across that space. I think it behoves all of us in this place, particularly those of us who come from regional electorates, like my own in Western Australia, to give very careful and due consideration to some of the very real challenges being faced by regional television broadcasters and to do all we can do to perhaps peel back some of the unnecessary regulation to ensure that consumers' interests—and regional consumers' interests—are put at the forefront of our consideration. But that is a debate for another day.

My attention this morning is drawn to the Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill. This is a small but important step in the government's commitment to modernising Australia's communications infrastructure and the regulation that goes along with it. As chair of the Coalition Backbench Committee on Communications, it is a policy direction that I heartily support, and of course I echo the contribution of the senators who spoke before me, Senator Bushby and Senator Ruston. We quite clearly live in a digital age and it is time for regulations that govern communications policy in Australia to reflect that very obvious fact. The provisions of this legislation will give the nation's free-to-air
broadcasters the ability to broadcast on their primary channel in high definition. This will remove an outdated restriction which means that at present they are only able to do so in standard definition. That limitation dates from the beginning of the digital television switch-over. At that time, several years ago, television equipment capable of receiving high-definition signal did not have the penetration levels that it enjoys today across Australia. It was necessary to require broadcasters to transmit in standard definition on their primary channel so that all households were capable of receiving at least one digital channel per broadcaster. However, we are now several years down the evolutionary track when it comes to digital technology, and virtually all televisions and set-top boxes are now capable of receiving broadcasts transmitted in high definition. Indeed a Newspoll survey from February of last year found that 96 per cent of Australian households possessed either a high-definition television set or a set-top box capable of receiving high-definition signal. I think it is very safe to say now, 18 months since that time, that that figure would only have grown. On that basis it is no longer appropriate for the government to be dictating to broadcasters as to which type of signal they will broadcast on their primary digital channel.

We know from broadcasters themselves that audiences are demanding more and more content in high-definition format, and in a fast-moving media landscape the consumer is king—the consumer is sovereign. The simple change that this legislation will bring about forms part of the government's broader approach to communications policy, which is targeted towards removing cumbersome and outdated regulations that are preventing media outlets from responding to shifts in consumer preferences.

As senators would be aware, in May of last year the government released its deregulation road map for the communications portfolio. That road map committed the government to a wholesale review of the digital free-to-air regulatory framework, to make sure that Australia's regulatory environment is in this area fit for purpose. As part of that review, the government released a discussion paper in January of this year, seeking comment from the public and industry alike on the question of the regulatory framework governing digital broadcasting. It should be noted from the responses to that the discussion paper that its proposal that broadcasters be given the option of transmitting their primary channel in either standard or high definition received very high levels of support from the public and the industry alike. It is in response to this overwhelming feedback that the government has now brought forward this legislation to the parliament. What we are doing here is simply giving broadcasters the option to broadcast in high definition on their primary digital channel.

It is important to note at this juncture that nothing contained in the legislation alters in any way arrangements surrounding broadcasters' obligations in relation to captioning, providing Australian content or anti-siphoning. I think that is worth repeating; there is nothing in this legislation that would remove those obligations that currently exist around broadcasters' obligations in relation to captioning, providing Australian content or anti-siphoning. And it is particularly important that we do this at this time because both the AFL and NRL finals are upon us.

We know that the way Australians watch television is changing radically. More and more, consumers are picking and choosing content and watching it at times that best suit them over streaming services such as Netflix, Presto and Stan. These developments are fantastic for consumers, and of course they should be welcomed and they should be endorsed. There is
ample evidence to suggest Australians are rapidly embracing the new opportunities to shape their own viewing experience and that of their families and, indeed, to binge on entire seasons of their favourite programmes at the touch of a button.

However, that also presents broadcasters with a significant challenge, as they must find ways to attract viewers to their product. One of the best advantages that traditional broadcasting still has over streaming services is in their coverage of developing events, most particularly, sporting broadcasts. It is not surprising, therefore, that the right to broadcast these events has become an increasingly big and expensive business. Take, for example, last month's deal between the AFL and the Seven Network, Fox Sports and Telstra, which is the biggest sport broadcasting deal in Australian history. That agreement, worth over $2½ billion—many people stagger to try to quantify that—gives the Seven Network the opportunity for rights to broadcast three AFL matches per round in every state and territory over six years, along with the Brownlow Medal and the AFL grand final. The deal also allows Fox Sports to show every match of the round live, and will permit Telstra to stream matches to viewers via hand-held mobile devices and the AFL website.

This is of course a very significant change over the course of just a single decade. Ten years ago, the idea that people would be watching live football matches on their mobile phones was probably something many Australians could be troubled about in trying to understand and trying to picture. But today, it is a common sight as you pass through airports, railway stations and shopping centres around the country. We need to make certain that our communications regulatory framework is keeping pace with this evolving pattern of consumer behaviour.

When it comes to broadcasting, it stands to reason that having paid such large sums for the right to broadcast these sporting fixtures, such as the AFL grand final, broadcasters would want an equal opportunity of broadcasting it in high definition on their primary channel to enhance the experience for consumers, so that consumers can have all the visual and audio advantages that such broadcast quality brings to them and their families. This legislation is designed to offer broadcasters that opportunity, though of course it does not require them to do so. It is an opportunity, it is not a compulsory act required by this legislation.

More broadly, this bill is consistent with the coalition government's overall approach to regulation in public policy. Our attitude has been to carefully examine the regulatory framework across the scope of government and to dispense with regulations that are the legacy of a world that no longer exists, or if it does exist, it exists only in our imaginations or in our historical recount of events. That is why we have already had three 'repeal days' in the life of this parliament dedicated to removing the shackles of outdated, unnecessary and burdensome regulations. I know there is a fourth one scheduled in November of this year, but it is important that the parliament moves immediately on this particular issue, on this particular bill, given that we are now into the football final season in both the nation's prominent football codes.

This is a small but important and also very, very relevant change that gives the nation's free-to-air broadcasters the ability to offer a high-quality consumer experience at a time when they are facing increasing competition from streaming services and other shifts in consumer behaviour. Ultimately this legislation is doing something that should lie at the heart of all
government regulation and policy in the communication portfolio and across other portfolio areas, and that is to offer greater choice to consumers.

On a final note, when we look at the future of communication policy in this country, it is easy to get distracted by the interests of media owners or of media proprietors. We must put, at the forefront of all of our considerations at every minute on every day, the interests of consumers and particularly the interests of regional consumers. When we look at media policy through the prism of the commercial interests of just media proprietors we do a great disservice to consumers and particularly to those across regional Australia who thrive on, desire and enjoy the need for local content and local news services.

It is beholden on this parliament to, at all times, make sure that there is media choice and media diversity across regional broadcasting areas. That is a debate that, I think, this parliament will come to very, very shortly. I implore cross bench and opposition senators to give the issue due consideration and do what they can to put the interests of regional consumers first and foremost in their future considerations on the issues around regional broadcasting and other media services. With that I commend the bill to the Senate.

Senator CANAVAN (Queensland) (10:22): It is a great pleasure to speak in support of this bill. It is a very timely bill which is introduced to allow TV channels to broadcast digital or HD, high-definition, content on their primary channel. It is very timely because this weekend the football finals begin—at least in the real football code in this country, the National Rugby League. As a Queensland senator it is very exciting that the two pre-eminent Queensland teams this year, the Brisbane Broncos and the North Queensland Cowboys, will be playing against each other this Saturday night. I am advised that, unfortunately, it is unlikely that that game will be broadcast in high definition on the primary channel, but I am hopeful that this will not be the last the Brisbane Broncos and the North Queensland Cowboys face each other in this finals’ series, and hopefully they will end up playing against each other on the big day, the first Sunday of October.

It may very well be the case that, if this bill goes through the parliament, Queenslanders not only will be able to view the very first NRL final between two Queensland teams—the very first time in history—but will also be able to see it for the first time in history in high definition. That will be a great thing. I am pretty confident that the Broncos and the Cowboys have been the best teams this season. They did not finish at the top, but over the course of the 26 rounds the Brisbane Broncos and the North Queensland Cowboys were the best, and I do think they may end up in the finals.

Senator Kim Carr interjecting—

Senator CANAVAN: Through you, Mr Acting Deputy President, Senator Carr probably does not follow the game that is the most watched game in Australia.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Order! Please resume your seat, Senator Canavan.

Senator McEwen: Mr Acting Deputy President, I raise a point of order on relevance. I too could stand up and talk fulsomely about Port Adelaide's performance this year in the Australian Football League. I have chosen not to do so. However—
The ACTING DEPUTY PRESIDENT: Resume your seat, Senator McEwen. The bill is about high-definition sporting broadcasts, and I think that Senator Canavan is relevant to the bill, however obtusely.

Senator CANAVAN: Thank you, Mr Acting Deputy President. I will get to the details of this bill, but I think it is very important to connect with the Australian people about why we do things in this place. The actual provisions of this bill are very technical and complex, but it is very important to understand why we do these things in this parliament. Senator Carr may have a different view, and Senator McEwen may have a different view, but I actually think that for the vast majority of Australians the football finals this weekend will be a very engaging event. It is something that I certainly look forward to every year. Unfortunately, there is a National Party convention this weekend. It happens that I probably will not be able to watch the Brisbane Broncos and the Cowboys live, but I will be able to watch them on a replay on Foxtel in high definition, whereas you cannot do that at the moment on the primary TV channel.

That is why we need the changes in this bill. At the moment the free-to-air broadcasters are restricted in what they can show and broadcast compared to some of their competitors, including Foxtel and the pay TV channels, which broadcast their content in high definition, at least to some who choose to buy a Foxtel high-definition set-top box. The free-to-air channels cannot do that at the moment. On their primary channel they are restricted to only showing standard definition content. We believe as a government—and I believe it has been shown in the review, and I certainly believe—that it is time to remove that restriction and allow free-to-air broadcasters to compete on a level playing field.

This bill is called the Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015, but perhaps it could be and hopefully should be called the 'Broadcasting the First Queensland NRL Grand Final in High Definition Bill 2015'. I certainly hope that happens. And what does this bill do? In detail, it removes the restriction that a free-to-air broadcaster has to broadcast standard definition content on its primary broadcasting channel. That primary broadcasting channel is the traditional Nine, Seven or Ten channel, not their multichannels, like GEM, ONE and 7mate, which they can broadcast high-definition content on. This will allow them to broadcast that high-definition content on their primary channel for the first time. It does not require them to broadcast high-definition content on that channel; they have the option to do that. Presumably, and likely, they will only take that option up where there is content such as a major football final or sporting event where lots of Australians are viewing it and, of course, high-definition content adds something to the experience. Hopefully we will not get high-definition broadcasts of parliament, because I do not know about you, Senator Carr, but I am not always the best—

Senator McEwen: Oh, no! We don't want to look at you in high definition!

Senator CANAVAN: Yes, exactly, Senator McEwen. I do not particularly want to do that, so hopefully that will not be a consequence of this particular legislation.

Also, on their primary channels, free-to-air networks provide captioning services for the hearing impaired. They will also be protected in this legislation. They will continue to be provided, including in high-definition content, if required.
These amendments are needed, as I hinted in my opening remarks, because other competitors can provide content in high definition, but free-to-air networks cannot. This will allow them to do that, and it reduces regulation for that.

The changes proposed in this bill were recommended by an inquiry early last year. It has gone through consultation. There was a Newspoll survey done early last year showing that most Australians now have access to high-definition content. At the time, early last year, around 96 per cent of Australian households could access high-definition content. That figure has probably risen since then because the uptake of high-definition set-top boxes has been increasing over time.

It is also the case that set-top boxes are relatively cheap at the moment, and have been for some time, and that has driven uptake of these receivers. At Dick Smith at the moment, if anyone is interested, you can get a high-definition set-top box with a USB and personal videorecording capability for $49.98. It is quite cheap, and that accords with the advice that we have provided in this bill. Around the $50 mark will provide you with access to high-definition content. It is something that most Australians will be able to access and be able to afford, and that is the case already at the moment. Consumers themselves can go and buy a set-top box for around $40 or $50, and that has driven uptake.

Senator Jacinta Collins: I wouldn't pay that. You can get them for $20.

Senator CANAVAN: Twenty dollars? I do not think you can for high-definition, though, Senator Collins. I did do a bit of a search and I could not find a high-definition set-top box for $20. But perhaps Senator Collins could provide some advice on that to Senator Conroy, or whoever is the communications spokesman now. You might recall when Labor were last in government they went out and bought some set-top boxes for Australians. They tendered for set-top boxes. In an article in The Australian from February 2012, Senator Conroy, who was the communications minister at the time, revealed that the average price of set-top boxes under the Household Assistance Scheme was $698—and these were not necessarily high-definition set-top boxes. Six hundred and ninety-eight dollars for a set-top box! You can go down to Dick Smith and buy them for 50 bucks, and they charged the Australian taxpayers $700 for the set-top boxes! That was the average price.

Senator Bilyk: Put it into context.

Senator CANAVAN: Yes, let us put it into context. The article does go into a bit more detail. Senator Conroy tried to explain this seemingly massive blow-out. Originally the costs were $350 per set-top box in the budget in 2011. They blew out to $700, a doubling of the budget for this program, which was not unusual in the former Labor government.

Senator Fifield: I had forgotten the set-top boxes.

Senator CANAVAN: Yes, the set-top boxes. I had to brush up on it, Senator Fifield. It was $700—I think you might have missed that—on average for a set-top box under this program. Senator Conroy tried to explain this by saying that that was just an average price and the costs ranged from $158 to $1,528. Taxpayers were being charged $1,528 for a set-top box—not a TV! It did not have any high-definition content. It was not a smart TV or an internet-connected TV or a wi-fi TV or an android TV or an Apple TV. It was a set-top box and it cost $1,500 under the former Labor government.
I thought: that is interesting. What could you buy for $1,500 at the moment down at Dick Smith? At the moment you can buy a 55-inch Samsung TV. I am thinking about buying a new TV at the moment. A 55-inch, high-definition, smart Samsung TV for $1,500—that is what you can get. That is what the Australian consumer can get in the shops if they are smart and savvy about what they are doing, which usually they are. But the former Labor government could only get a set-top box for $1,500! Harvey Norman, JB Hi-Fi and Dick Smith must have been laughing all the way to the bank. They saw the Labor Party coming and they charged them that amount of money for a program which was simply set-top boxes.

People could have gone out and bought a TV with full HD digital TV capabilities for that price. But that was not how the Labor Party rolled in government. How they rolled was: whatever the cost, whatever the price; that did not matter. All that mattered was getting through the next day for them. That is how we ended up with the debacles like the set-top box scheme, which was a complete waste of money—hundreds of millions of dollars. About $308 million was budgeted in 2011 for that program. It turned out to be another example of waste from the Labor Party and another example of inefficiency from a Labor government. That is not the approach that we have taken. We provide assistance to people to allow them to buy their own set-top boxes and to make their own consumer decisions.

Not only did it cost an enormous amount of money; the actual service that was provided was at times incredibly deficient. At the time, Ms Diane Pasco from Warrnambool requested assistance under this scheme. She had four visits to her home by departmental contractors—four visits by the contractors without connecting the set-top box properly. Four visits! I reckon I could go and install my grandma's set-top box in less than four visits. Four visits from contractors, all charged to the taxpayer, and then, after those four visits—and none of them were satisfactory—Ms Pascoe had to go out and pay for a digital set-top box and install it herself! She did it all on her own for $100! The Labor Party were charging people more than 600 bucks on average to do this service and often not even getting it right. If you cannot install set-top boxes in people's homes, you cannot run a government, surely. If you cannot install a set-top box, you cannot be trusted to run the Australian government. That is what their approach was.

Thankfully, most Australians did not have to rely on the Labor government to provide their TVs or the digital content. They did it themselves. As I said, around 96 per cent—perhaps more now—of households do have access to high-definition content. They have access to a lot more since that time. Services such as Netflix, Stan, Presto, TENplay and other forms of digital content that are delivered through iPads have ballooned in popularity.

Senator Jacinta Collins: ABC.

Senator CANAVAN: ABC. Thank you, Senator Collins. ABC iview. I am a regular user of that as well. All of these services are now provided on many different platforms as well as through your TV. There are many different platforms, not just a broadcasting service. That has put substantial competitive pressures on the free-to-air TV broadcasters. They are probably only going to increase, as I believe we are only seeing the genesis of this change. As people get more and more and better internet through the National Broadband Network, a scheme that we have improved since coming to government, these kinds of services, delivered largely through the internet rather than through broadcasting spectrum, will become more popular and that will create a greater competitive threat to free-to-air broadcasters. That is one
of the reasons why we need this change, to help remove red tape and regulation from the free-to-air TV sector so that they can compete with these new services on a more level playing field.

I also would like to make some comments about the broader regulatory landscape in this area, because there are restrictions on free-to-air TV broadcasters other than simply this one, and they are restrictions that at least some free-to-air TV broadcasters feel are limiting their scope to compete with other forms of TV and digital content. In particular we do have specific restrictions on mergers in the media and broadcasting landscape. The one that affects TV most directly is colloquially known as the reach rule, or the 75 per cent rule, which restricts any broadcast provider to only 75 per cent of Australia's broadcasting scope. That has been in existence for a long time—

Senator Bilyk: What do you stand for, Matt?

Senator CANAVAN: If people listen up, I might expand a little on that topic right now.

Senator Bilyk: You've only got four minutes.

Senator CANAVAN: I think I can do it in 4½ minutes. The reach rule has been a longstanding restriction in broadcasting from the late 1980s—it might have been Paul Keating; it might have been the early 1990s. We have had this rule for at least 20 years, and it has been reviewed a number of times. It is quite a blunt rule. It is unusual to have a restriction on mergers in a particular landscape of 75 per cent, or any particular number for that matter, but we have that in our broadcasting space. We do have it for a reason, and the reason is that it guarantees a diversity of broadcasters in our landscape. It means by definition that in the 25 per cent left, apart from that 75 per cent, there have to be dedicated regional broadcasters. Channels 9, 10 and 7 cannot cover the field, if you like—by law they cannot cover 100 per cent of Australia, so there have to be some regional broadcasters and that is why we have WIN, Prime and Southern Cross as well—and NBN. It is blunt, I recognise that, and almost every review that has been done since that time has recognised difficulties or issues with the reach rule. As I say, it does serve a purpose. I believe Australians want a diverse media landscape. I do believe that Australians want to have local news and local content delivered in their local area. I therefore believe that we need to have some protections in our legal framework to permit broadcasters, or the media industry more generally, to deliver that diverse landscape.

At the moment, as it stands, if the 75 per cent rule or other rules such as the two-out-of-three rule, which goes to more than just TV, were removed, a proposed merger between two broadcasting entities would be assessed by the ACCC under section 50 of the Competition and Consumer Act. That act obviously deals with matters of competition and economic efficiency, and the ACCC has to be bound by the provisions of that act when looking at any particular potential merger. I have great scepticism that any such process could adequately deal with the issues of media diversity through section 50 alone. Section 50 itself is there to protect competition, not to promote any kind of diversity or any kind of specific promotion of a minimum number of players in a market. The Trade Practices Act, or now the Competition and Consumer Act, is focused on delivering outcomes that are in the best interests of consumers, not necessarily saying that there must be a minimum number of competitors in a market, whereas I believe in the media landscape at least there is a different set of issues that
need to be considered. That means that there possibly would need to be specific media rules around mergers and acquisitions.

I do note that other reviews have been done in this area, such as the Productivity Commission's broadcasting review and the convergence review a few years ago. They both called into question the 75 per cent rule, and also the two-out-of-three rule, but they also made the point that a diverse media landscape is an important objective for public policy and perhaps needs protection through other ways and means. I note that at this stage at least those who are seeking to remove that 75 per cent rule have not really put forward a specific proposal to deal with issues of media diversity apart from just the competition issues. I am sure those issues will continue to be considered and debated both here in the parliament and in the wider public policy sphere.

I fully support this bill. As I said at the start, as I am more of a rugby league fan I very much hope that Channel 9 will be able to provide the grand final in high definition. I hope that at least one Queensland team and maybe two will be in the grand final but if they are not I will still be watching, and I hope that along with millions of other Australians we can finally enjoy the pre-eminent and premier sporting event on our nation's calendar in high definition on big screen TVs.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:43): It does not look as though any other colleagues wish to make a contribution to the debate on the Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill, so I will sum up. I was a little bit bemused by some of the calls from those opposite claiming that on this side we were seeking to drag out debate on this important bill. I think we have had just on an hour of debate on this bill, and I cannot help it if there is a genuine love of and interest in sport on this side of the chamber. It is entirely understandable that there was a spontaneous desire by my colleagues to contribute in this debate.

Senator Jacinta Collins: A spontaneous desire?

Senator FIFIELD: A spontaneous desire! We do not operate a command and control operation on this side of the chamber. We let freedom reign. I must say that I have thoroughly enjoyed the contributions of my colleagues. They were light-hearted, pertinent and also provided the opportunity to canvass some other issues in the area of broadcasting policy, as Senator Canavan did. So I thank my colleagues for their contributions.

This bill, the Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015, as has been well canvassed by my colleagues, seeks to amend the Broadcasting Services Act 1992 to provide the national and commercial free-to-air broadcasters with the flexibility to deliver programming on their primary television broadcasting services in either standard-definition or high-definition formats. And what a good thing that is. This proposal will enable broadcasters to innovate and evolve their services to incorporate new technologies, ensuring they continue to remain relevant in a changing media environment. Changing media environments is a point that Minister Turnbull talks about a lot—and what a good person to have as the chief steward in that area of policy.
This initiative does sit squarely with our deregulation work program. It does reinforce our commitment to removing unnecessary red tape and outdated regulations that hamper industry from providing the services that respond to audience preferences.

I know that it is no surprise to you, Mr Acting Deputy President, that many Australians expect that premium free-to-air programming should be provided in high definition, especially of events such as live sports. The bill clearly responds to consumer expectations and is strongly supported by free-to-air broadcasters. It provides them with the flexibility to televise upcoming events such as this year’s AFL and NRL grand finals in high definition, should those broadcasters choose to do so. I think that is the really important point here: this is an example of government getting out of the way. We are not dictating what should happen, but we are getting out of the way, allowing broadcasters the freedom and the capacity to respond to consumer demand and desire. This is a good piece of legislation. I do not think there will be any colleagues who will not be supportive of this bill. I look across at Senator Ludlam and he is smiling and giving the thumbs up. So I think this is, indeed, a moment of unity in this place and I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (10:47): 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 FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:47): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a second time.

Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator SIEWERT (Western Australia—Australian Greens Whip) (10:48): I rise to continue my contribution on this particular bill, the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015. Just to recap, I remind the Senate that the Greens are strongly opposed to this legislation. We think it demonises and seeks to punish young people who have been unable to find work, when we know that the youth unemployment rate is at its highest level it has been for a long period, probably around 13 years, and that young people do want to find work.

In fact, the government yesterday released outlines of their Transition to Work Program that seeks to help young people find work. At the same time as saying they want to put resources into helping people find work and actually try to address some of the damage that
they did by getting rid of Youth Connections—they have not fully amended that damage but at least they are taking some steps in the right direction—they have this measure in place. It is counterproductive because poverty, having no income support, no means of visible support, means that young people are in fact going to face another barrier to finding work.

We know from the evidence that poverty is a barrier to finding work. Living on thin air for five weeks—because this four-week waiting period is on top of the current ordinary waiting period of one week—living on nothing will be another barrier to young people finding work.

There are also other measures in this bill that I will go to in a moment because, when I am talking about the ordinary waiting periods, the government is attempting to apply those in what are inappropriate places. We strongly disagree with this measure because there is no evidence from overseas—we found that during the Senate Community Affairs Legislation Committee inquiry and I went through this in my previous contribution—to show that this type of measure works. The Department of Social Services admitted that, in response to my questions during the committee inquiry. It does not work; there is no evidence. Therefore, you have to go to this ideological approach by the government, which is in line with the comments that the Prime Minister and other coalition members have made around young people being couch surfers, bludgers and some unwilling to work. That is certainly not my experience. My experience is that young people in fact do want to work. They need support and some training and assistance to find work. But when you have upwards of sometimes 1,000 young people applying for one job you know that there are issues here. This is an issue around trying to actually find jobs for young people.

I would like to go to some of the evidence that we received in the committee inquiry where Mission Australia described in detail the impacts that this proposal could have by making young people wait five weeks for income support. This is how Mission Australia described to the Senate committee some of the potential impacts:

Suppose that you are a young person and you have got work. You have felt reasonably confident, so you have got rental of some sort or you are sharing a house with someone; you are paying rent or you have your own tenancy. Then you lose your job. In that situation you are only one or two weeks pay away from disaster. And if you have to wait five weeks to get benefits then that is when there is a real risk of falling into homelessness if you do not have the back-up support of your family or somewhere else to go and stay. That is the same for the adult population but in this case we are talking about also reducing the Newstart Allowance down to the Youth Allowance (other) level—and I will break out of the quote to say that of course that is less—so they are already getting a reduction in payment. That is where the risk comes in.

Submitters to the inquiry also pointed out that by providing emergency relief funding to help those affected by this program the government is demonstrating quite clearly that it understands that the policy will lead to significant financial hardship. The government is so certain of this that it has signalled to service providers that around $8.1 million in additional funding will be available to emergency relief providers to provide assistance for those impacted by this measure. What the government is saying to young people is this: 'You're expected to live on nothing. We know we're going to hurt you. You go round to emergency relief providers and try to find some sort of relief or food or a little bit of financial support if you have to pay your rent.' We know that usually those providers cannot afford to do that; they usually provide emergency relief in the form of food relief. This is unbelievable; this is
ambulance-at-the-bottom-of-the-cliff thinking. Rather than helping people when they are still relatively hopeful and are still close to education or employment, this government is saying, 'No, we're going to abandon you for five weeks.'

The government is not correct in its claims that this measure is what is being used in New Zealand. The Department of Social Services do not have evidence from other countries, as I have just pointed out, despite the fact that they tried to quote, and the minister has made references to, what is happening in New Zealand. I have checked what happens in New Zealand, and I have confirmed that in fact 20 days is the exception. As I pointed out in my last contribution, even if you do end up serving the 20 days in New Zealand, you do get back pay, which the government is not proposing to do here. It is more likely that they will do five working days; that is the approach that they ordinarily take. That is what we do already. We already have the ordinary waiting period, and New Zealand does five days. My understanding of what they do in New Zealand is that they also apply the rules compassionately.

The government say they are going to do this compassionately, that it is only going to affect 70,000 to 80,000 people. They say, 'We've created all of these exemptions.' Seventy thousand to 80,000 young people is a large bulk of our youth. It is a large number of people that we are talking about. This sort of measure will have not only short-term impacts on their ability to gain work but it will also potentially have long-term impacts on their futures. The standard period in New Zealand, if I understand it correctly, can be one week and then up to two weeks, but as I understand it—and I have double-checked this—20 days in New Zealand is clearly the exception, so the government simply cannot use New Zealand as an example. If you are going to use New Zealand as an example, how about looking at the other forms of support that they have been addressing there? They also—get this—increased their income support payments, something that a number of us have been campaigning on in Australia for years! If this government are so intent on copying New Zealand, then how about, if they are serious about helping people, recognising the inadequacy of the Newstart payment and the youth allowance payment? Report after report has found that if people are on Newstart they are living in poverty, so why not also copy the income support payments measure? Notice they have not done that.

They also have not brought in their social investment framework, which is also what New Zealand has done. So New Zealand has brought in a comprehensive package. Our government have not done that; they have brought in a 'let's punish young people and make them live on thin air for five weeks at a time' package. It simply does not work. It is not going to work; it is going to punish people. That is really clear, and it is sending a really bad message to our future workforce. This is our future workforce we are talking about. It is our future workforce, and right from the beginning we are saying to them, 'We are going to take a punishing, demonising approach to you and provide another barrier for your finding work.'

Young Opportunities Australia told the committee:
Youth unemployment is at a 13-year high in Australia. Failure to acknowledge the complex and varied reasons for this fundamentally distorts the policy debate towards an individualised view of unemployment, rather than one that considers the broader social and structural reasons, such as job shortages, skills mismatch, over-qualification, increased levels of competition, geographic and socioeconomic inequity, employer prejudices and inexperience … Fifteen per cent of Australian graduates are working in jobs for which they are over-skilled within three years of graduating and 25 per cent are not using their university degrees in their employment at all, which represents 790 million
hours or $15.6 billion in lost economic productivity to Australia. It is in this light that any policy addressing the youth unemployment problem must be viewed.

This policy is clearly counterproductive, as are the measures to change the age requirement for various Commonwealth payments. In fact, it will make young people exist on youth allowance for even longer, and youth allowance is even lower than the inadequate Newstart. We are also concerned about the removal of the low-income supplement, given that this is vital money that tops up people who are living in poverty.

While the government claim there will be a few exemptions to the income support waiting period, they are making women who may be subject to domestic violence wait longer for access to income support payments. They say, 'It's okay, there's four weeks if someone has been subject to domestic violence in the last four weeks.' We know from the evidence that sometimes it takes family members and women longer than four weeks to make the break, to find the necessary resources and take the necessary steps to make that break and to leave a situation where there is family violence. These are very complex issues that we are dealing with when we are talking about family and domestic violence, and to not acknowledge that in our approach to the way we provide income support is a massive failure and a flawed approach by this government. Then, of course, we have the government cutting indexation on payments that are already too low. What that means for people who are already living on substandard, inadequate payments that are forcing them to live below the poverty line—as the government does not index these payments—is that they fall even further behind. If the thresholds are not indexed, people slip further and further behind the cost of living and into poverty.

But the overwhelming measure here is this measure to force young people to live on nothing for five weeks. It is a flawed approach. It is counterproductive to the government's own initiative that they announced yesterday. We will be strongly opposing this measure. We will strongly oppose any measure the government bowl up that makes the lives of people trying to find work even harder. If they bring up another waiting period, we will again vote no to it. The government's punitive approach to those on income support is counterproductive and they need to rethink this approach.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (11:01): Here we go again—groundhog day. It is another day of the Abbott government wanting to punish young job seekers because they need a scapegoat for their failure to create jobs. First it was the Social Services Legislation Amendment (Stronger Penalties for Serious Failures) Bill, then the Social Security Legislation Amendment (Strengthening the Job Seeker Compliance Framework) Bill; now it is the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill.

The Abbott government are very good at naming their bills in such a way as to shift the blame to young job seekers for their own situation. Implicit in all of these bills' titles is that Australia's young job seekers are entirely the masters of their own destiny—that if they cannot get a job then they are not trying hard enough. According to the government's rhetoric, what we need is stronger compliance and stronger penalties to make sure they try harder. But what the Abbott government fail to appreciate is that young people are trying hard. They are trying hard at a time when they have the odds stacked against them. What they need is opportunities for education and training, yet the government have made massive cuts to university funding.
and are pursuing a deregulation agenda that will put a university degree out of reach of the average family, let alone the thousands of apprenticeships and traineeships that they have cut. The Abbott government have also cut $1 billion from apprenticeships and traineeships.

What young job seekers also need—and I guess it will be no surprise for those opposite to hear this—is jobs. Yet, under this government's watch, the number of unemployed in Australia has jumped above 800,000 for the first time in 22 years. That is more than 800,000 unemployed job seekers looking for what I understand at any given time is around 150,000 vacancies. This is particularly concerning to me, as a senator from the state with some of the areas of the highest youth unemployment in the country. But it is in response to this fact that we get nonsensical statements from the Minister for Employment, who once said, 'When jobs are sparse, it means that you've got to apply for more jobs to get a job.' Thank you for that insight from Senator Abetz! Perhaps they should just follow the Treasurer's advice and 'get a good job that pays good money'. It is statements like these that highlight how out of touch this government is when it comes to understanding the challenges that face the unemployed, particularly those young job seekers.

This government, which promised to create one million jobs within five years of coming to power, does not have a plan for jobs after two years in power. So, faced with no plan and an embarrassing track record on jobs, the government resorts to its old style—that of blaming other people. After all, it has been in power for two years, so it is a bit late to keep blaming those of us on this side. The only means left to deflect the blame from itself is to point the finger at job seekers for their failure to get a job. It does not matter that there are not enough jobs out there. Never mind the fact that Australia's Treasurer practically dared the automotive industry to leave Australia. Never mind that this government put thousands of renewable energy jobs at risk through its attacks on the renewable energy target that saw investment fall by almost 90 per cent. Never mind that the Abbott government broke its promise to have our Navy's submarine fleet built by Australians in Australia. Never mind that the government has cut billions from education and training, one of the key supports for job seekers to gain the skills they need to get a secure job. Never mind that it has taken two years for the government to belatedly explain the fate of the $16 million grant originally promised to create jobs in Cadbury's in Hobart. We will still wait to see when the money actually comes through—even though it has been repromised for other things.

This government would have you believe that the failure of unemployed young people to secure a job is all the fault of those job seekers. If the government wants to deny that this is its motive, it only need to look at the submission of the Australian Council of Social Service, in a recent Senate inquiry, who said of the four-week waiting period for income support:

This proposal shifts the risk of financial hardship arising from unemployment from government to the individuals affected, implying that they are personally at fault for an economic policy problem governments have struggled to fix.

What a damning indictment of the motives of this government, from an organisation which represents the entire welfare sector throughout Australia.

The whole idea of this bill, and a number of other punitive bills the government has introduced into this place, is based on the false premise that somehow job seekers need more incentive and more motivation to seek work. I have some news for those opposite. The vast majority of young people are motivated. They want to work and they are trying hard to seek
work. They need more support, more opportunities for training and education and, basically, more opportunities for employment. What they do not need is punitive measures that push them into poverty and hardship. As ACOSS said in their submission:

The unspoken assumption behind this policy, that youth unemployment is mainly caused by a lack of willingness to seek employment, is flawed and unproven. As Professor Jeff Borland argues following a careful examination of the unemployment statistics, the current rate of youth unemployment can be fully explained by inadequate demand for labour since the Global Financial Crisis.

There are measures in this bill that provide total savings of around $1 billion, but most of these measures are unnecessarily cruel and punitive and the government has given no consideration to the economic or social costs that will arise from these measures. The measures that Labor will not support in this bill are: applying a one-week waiting period to all working-age payments; requiring young people under the age of 25 to wait four weeks before receiving income support; extending Youth Allowance to people aged 22 to 24; and freezing the indexation of income free areas for working-age payments and student payments for three years. The extension of youth allowance to young people aged under 25 in lieu of Newstart and sickness allowances represents a cut of $48 a week or $2,500 a year to many young Australians.

We know that Newstart is a payment of $260 a week and it is pretty difficult to get by on it. Compare that to $391 a week for the aged pension or $641 a week on the minimum wage. These incomes are difficult to get by on and so how can anyone be expected to live on just $213 a week? Yet this is what the Abbott government is expecting young jobseekers to do right up until the age of 25. Commenting briefly on the measures in the Brotherhood of St Lawrence's submission to this Senate inquiry into this bill, Executive Director Tony Nicholson said:

The extension of the age for Youth Allowance (Other) also risks potential adverse consequences for disadvantaged young people's capacity to transition into adulthood.

Particularly, our concern is how it will affect the ability of those young jobseekers who lack family financial support as they struggle into self-reliance.

We have announced our position on the one-week waiting period and the indexation changes following the 2014-15 budget and we will continue to oppose these measures.

The measure in this bill that Labor is most concerned about is the four-week waiting period for income support for young jobseekers under the age of 25. I have spoken previously in this place on another government bill through which those opposite were proposing to introduce a six-month non-payment period. This month-long waiting period is still unnecessarily punitive. In fact, it is more than that—it is downright cruel. There are two questions that I would really like to hear those on the other side try to answer about this measure, though I do not expect to hear any coherent answers on this because the measure simply does not make sense.

But I ask these two questions all the same, because maybe it will prompt those on the other side to contemplate how monumentally ridiculous, cruel and unfair this measure is. Firstly, what are young jobseekers expected to live on for the month that they are denied any form of income support? Are they expected to take out a private loan with their future income support payments as collateral? Are they expected to beg and borrow from friends and family? What if their friends and family are not in a position to support them financially? Do they knock on the doors of already overstretched welfare agencies? Do they go begging in the streets? Do
they engage in theft and other criminal behaviour to maintain themselves? Or is the government simply expecting them to not eat or pay for rent or electricity for four weeks? On this point, we heard on the ABC's AM program last month the story of 'Sally'—not her real name—a 19-year-old woman who has been homeless and has relied on social security since the age of 13. Sally is convinced that, when subjected to non-payment periods, young people will turn to crime to support their income. To quote Sally:

Well, if that's the only way that people are going to get money, then they're going to do it, you know? Logic is, okay, so I can be homeless or maybe I can try and get something illegally, and then if I do get caught, well then at least I'll still have a roof over my head and getting fed in jail.

According to the AM story, Sally is now studying to be a youth worker. She will have a rewarding career helping people like herself, but where would Sally be now if she was subject to a non-payment period? It is really worth contemplating.

The second question I have is: what practical purpose does this measure serve? How does cutting off a jobseeker's income support for four weeks, regardless of their willingness to comply with their obligations, help that person to find a job? I can answer that question quite easily: it serves no purpose whatsoever. In fact, in terms of helping young jobseekers gain employment, it is highly counterproductive. If a jobseeker cannot afford to eat, or maintain a roof over their head, how do we expect them to travel or to undertake any of the job-seeking activities they are required to do? How do they get to appointments with their employment service provider? How do they apply for jobs online if they cannot afford internet access? How do they travel to job interviews? How do they buy the clothes and other accessories they need to make themselves presentable for a job interview? How do they enrol in, or even attend, education or training? Where is the motivation to go out and look for a job when they do not even have the means to do so?

This measure simply kicks young job seekers when they are down. It absolutely cripples any job seeking ability they may have had. I do not know how any of those opposite can possibly think that this is a good idea. All this policy achieves is cruelty, heartlessness and brutality—and a relatively small budget saving. But is that saving worth the collateral damage that it will deliver to young jobseekers who will be pushed into poverty and hardship? Perhaps it is to a government which sinks to the cruel and heartless depths that this one has.

What the government has not factored into this bill is the cost of this measure. We have seen the savings—some $170 million for this particular measure. But who pays to support these people financially? Who provides their food, heating and accommodation? And if the government has no plan to provide for this, who pays for the social and economic costs of pushing thousands of young Australians into poverty and hardship? And if this government needs any more convincing of the folly of this measure, it should take a look at the submissions to the Senate inquiry into this bill, particularly those from the welfare sector. I have already mentioned the comments of the Australian Council of Social Service earlier in this speech, but I will quote from a few of the other submissions, starting with the Brotherhood of St Laurence. Its Executive Director, Tony Nicholson, said:

... a period of four weeks without income support continues to have potential for harsh unintended consequences that will be borne hardest by those young jobseekers who do not have financial support of their families.
The National Welfare Rights Network, who had previously conducted research into the impact of people not being able to secure adequate income support from Centrelink, outlined some of the harms that this measure would unleash on people from disadvantaged backgrounds. They predicted:

… increase in family tensions, family breakdown, increased isolation, deterioration in physical and mental wellbeing, homelessness and/or housing insecurity, increased barriers to looking for work and social and economic participation.

The National Welfare Rights Network noted that in New South Wales, a property owner may commence eviction proceedings against a person who falls just two weeks behind in their rent. The committee conducting the Senate inquiry also received these comments from Lin Hatfield Dodds, National Director of UnitingCare Australia:

We recommend that the committee seek documented evidence from the government that demonstrates why it believes there will be benefits from the tightening of exceptions for people to serve waiting periods, and demonstrates how this measure will result in more positive outcomes for individuals facing hardship. UnitingCare is not aware of any evidence that these measures will do anything other than lower the living standards, and increase the risk of harm, for an already vulnerable group of people.

The National Youth Mental Health Foundation, or headspace, made the following comments in their submission:

The impact of such a change has the potential to leave young people without the ability to meet their basic needs at a time when they should be focused on finding and securing employment, and to increase their risk of experiencing homelessness and mental health difficulties. Such changes would also impact disproportionately on those most vulnerable young people, who are unable to rely on family or other social connections for financial or housing support in times of crisis.

To summarise what the submitters to this inquiry, particularly those from the welfare sector, were saying: the four-week waiting period has the potential to drive many young people into poverty and hardship and potentially worse problems such as homelessness; the waiting period will also make it more difficult for young people to actively participate in activities to help them find work, and there is absolutely no evidence that this measure will provide any benefits for young job seekers.

Despite all the evidence weighed against this ludicrous proposal, it is exactly the kind of thing we have come to expect from a government which is increasingly out of touch. It is a government whose Treasurer tells us that poor people do not drive cars and that the best way to afford a house in Sydney is to go out and get a well-paying job—how insulting. It is a government whose employment minister seems to believe that the best way for young people to get a job in a market where jobs are sparse is to apply for more jobs. It is a government that does not understand the real barriers to employment for young people, in particular the fact that there just are not enough jobs around to apply for. And, it is a government that has no plan to create jobs.

It is a government that is now overseeing a situation where we have the highest number of unemployed Australians since 1994 and yet they are still trumpeting their target of one million jobs in five years. A plan to create jobs is what Australia's young job seekers need now. They also need education and training so they can gain the skills to fill those jobs. What they do not need is punitive measures which push them into poverty and hardship.
In regard to the Senate inquiry report recently released, the government senators actually admitted that the four-week waiting period will disproportionately impact on vulnerable young people, including those with mental health issues—I was pleased to see them come to that line. But the Abbott government is still knowingly pushing young people into poverty and into hardship. If Mr Abbott gets his way, young job seekers under 25 will be pushed further and further into that hardship with nothing to live on for one month. I would like to suggest to those on the other side that they try to live on no income for one month—not in their maybe quite fancy houses but out there like young people maybe in shared accommodation—and see how they go. How would they go trying to buy food, trying to pay for your electricity, trying to apply for jobs and trying to afford the clothing to turn up to an interview looking decent.

I cannot believe the mentality of those opposite to always blame and blame and blame others, whether it is in their speeches when they are blaming the Labor Party for things that have happened in the past or whether they are blaming young people. Two years they have been in government, two birthday candles on the cake and all we have seen, as I said yesterday in another speech—

Senator Jacinta Collins: Two-year-old behaviour.

Senator Bilyk: Thank you, Senator Collins, indeed it is two-year-old behaviour of tantrums, of dysfunction and of chaos. They have no idea what they are doing, so what do they do? They make the young people pay for it. It is always someone else's fault, everybody else is to blame. Until those on the other side actually get real about life, nothing will change unfortunately. I cannot believe that anybody would think that people can live on nothing for a month—absolutely atrocious. I call on any of those opposite to take that challenge, to live on no income for a month, to not be able to access their bank account and their credit card and everything else, but still have to pay their bills and still try to eat. If they come from a family that cannot support them, think about how hard that is for those people.

Not everybody, like a number of those on that side, was born with a silver spoon in their mouth. That is the problem—too many silver spoons into the mouths when you were born. You have no concept of reality about how the real people live in this world and it will be the failure of your government. You will lose the election because you have no concept of how real people live and about how those who are suffering hardship live. You know what? I will be the first one to cheer when you lose government because I think this is absolutely atrocious. I cannot believe that those opposite constantly say that it is the fault of other people that they cannot get jobs when your government has done nothing to create those one million jobs that you were going to create in five years. You talk about how there are more jobs, but the trouble is the jobs you have created are all part-time or casual. I have a 30-year-old and a 29-year-old. My daughter is in work, and my son has just come back from overseas and is looking to work. He has us to fall back on but he is finding it hard, so I do not know how you think other people are going to live. (Time expired)

Senator SESELJA (Australian Capital Territory) (11:21): I am really pleased to follow the particularly ridiculous rant that we just heard from Senator Bilyk. I am pleased to speak as someone who did not grow up with a silver spoon in my mouth. My father and his family came from the former Yugoslavia. On a very modest income my dad raised six of us. He took
cleaning jobs, as we all did, in order to make sure we got by. I am not going to be lectured to by Senator Bilyk about silver spoons. What a ridiculous statement.

Senator Bilyk: Touchy!

Senator SESELJA: I know what it is to work, as do my family, as do those on this side. You sit there after this ridiculous rant, this ridiculous piece of class warfare. Some of the statements in Senator Bilyk's contribution are beneath even Senator Bilyk, like saying that you should not be saying to people, 'If you want to buy a house, you should try and get a good job.' What is the alternative?

Senator Bilyk: That's not the context it was said in, is it?

Senator SESELJA: What is the alternative? What advice do you give your kids? Do you say, 'Kids, if you want to get ahead in life, if you want to buy a house, the best thing is to be on welfare'? Is that what you are saying? Or that the best thing is to get the lowest paying job you can possibly find? What a ridiculous comment.

Senator Bilyk: Take it all out of context, as you always do.

Senator SESELJA: This is what you are bringing the level of debate to. Some of us, on this side, know what it is to work for a living.

Senator Bilyk: Can you name them?

Senator SESELJA: We know what it is to do it tough and to work our way through life.

Senator Jacinta Collins: Come on, Zed. How do you justify these measures?

Senator SESELJA: Taking a cleaning job, as I did when I was in high school and when I was at university—

Senator Bilyk interjecting—

The ACTING DEPUTY PRESIDENT (Senator Dastyari): I remind the Senate that previous contributions were heard in silence, and I believe that this one should be heard in silence as well.

Senator SESELJA: Thank you, Acting Deputy President Dastyari. Jobs like cleaning, which I took on and my family took on, are not nice jobs. Most people do not aspire to be cleaners, but cleaning needs to be done, it is important work and many of us will take the jobs that are on offer. Senator Bilyk, I am certainly not going to be lectured by you. I am not going to be lectured by you on this or any other issue. It was a ridiculous contribution, and I think anyone who witnessed it would have seen what a ridiculous contribution it was.

Senator Bilyk talked about jobs and said, 'You haven't created any of the jobs.' We have created 330,000. That is how many have been created in the two years since we came to office. That is a good start. We have a long way to go, but that is a good start. That is only through determined policy, most of which is opposed by those on the other side, and by supporting business to employ people, having free trade agreements, not allowing corrupt unions to shut down workplaces, cutting red tape for business and instant asset write-offs—all of these things come together. All of these things are about growing the economy and growing jobs. Instead of Senator Bilyk's view of how to get ahead in the world, we say: 'You can aspire to have a job. We want you to have a job. We want to create more jobs. We want to create better jobs.' That is what we are about, not this idea that you go straight out of school and onto welfare.
That is fundamentally what this bill is about. It is about saying to young people, ‘We don't want you going straight from school to Centrelink. What we want you to do is go from school to further training, through TAFE or university, or get into a job, a good job, as good a job as you can get—sometimes starting at the bottom and working your way up, other times moving into already reasonably paid jobs and then looking to make your way in the world.’ That is what this bill is about. It is about not selling our young people the vision that the best thing to do is to go straight from school to Centrelink. We have a different view of the world from those on the other side.

Let us talk about jobs. There have been 330,000 new jobs since we were elected, an average of 23,000 new jobs per month. What was Labor's record? When they left office, the average was 3,600 jobs per month. Which would you rather see? Would you rather the coalition's record of creating 23,000 jobs a month, on average, or would you rather what happened under Labor, in better world economic conditions, when 3,600 jobs were created per month?

That is what we are about and that is why we continue to make decisions that are about growing our economy and providing opportunities for our young people so that they can have the best possible jobs. It is so that those who want to work, those who are willing to do the hard work, whether it is by getting a good education and training or simply by getting out there into the workforce, having a go and working hard—sometimes doing the jobs that other people do not want to do so that you can get ahead—can. We want to give people opportunities across the board.

This bill is just a part of that. There is the $5½ million Jobs and Small Business package; it is all about providing jobs and opportunities. To get people into jobs, we have also invested $18.3 million in additional work experience places which give on-the-job experience and connection to an employer. We are running intensive support trials for vulnerable job seekers, to the value of $55.2 million. We are providing $19.4 million worth of support for youth with mental health conditions and $22.1 million worth of help to vulnerable young migrants and refugees. We are helping parents prepare for employment, through $18.9 million of funding. These trials are all focused on those most in need. It is about helping them prepare for work, find work and stay in work, because that is what we are about. I encourage those in this place today to not get caught up in the scare campaigns from the Labor Party but actually look at the facts and look at this bill in that context.

There are five elements to this bill before us today. The first amends ordinary waiting periods. This bill will exclude widow allowance claims from the one-week ordinary waiting period for working-age payments, to be implemented from 1 July 2015—that is, this bill will reintroduce schedule 3 of the Social Services and Other Legislation Amendment (2014 Budget Measures No. 4) Bill 2014, excluding widow allowance claimants. In regards to age requirements for various Commonwealth payments, this bill will delay till 1 July 2016 the start date for the measure increasing the age of eligibility for Newstart sickness allowance—that is, reintroduce schedule 6 of budget measures No. 4 bill’s Newstart date. With regard to income support waiting periods, this bill will introduce a revised, four-week waiting period for youth income support from 1 July 2016—that is, introduce a replacement for the measure provided by schedule 7, which required young people with full capacity to serve a six-month waiting period. It amends the low-income supplement so that it will cease from 1 July 2017.
Finally, in regards to indexation, this bill will reintroduce the following changes to Australian government payments provided by schedule 1 of budget measures No. 4 bill: it will maintain at level for three years the income-free areas for all working-age allowances, other than student payments, and for parenting payment single from the existing start date of 1 July 2015; and it will maintain at level for three years the income-free areas and other means-tested thresholds for student payments, including the student income bank limits, with a Newstart date of 1 January 2016.

The Senate Community Affairs Legislation Committee, which I chair, held an inquiry into this bill. It was clear that of the five measures contained in the bill the income support waiting period was the one which obviously had the most commentary, so that is the element which I will be focusing on today. In this measure, from 1 July 2016, young people under the age of 25 who are the most job ready and who apply for youth allowance or special benefit will need to serve a four-week waiting period before becoming eligible for one of those payments.

It is important from the outset to be clear about who this legislation affects. We are talking about those young people who are job ready, and to be job ready is to be classified as such by the Job Seeker Classification Instrument. It means people who live in areas with good employment opportunities, it means young people who have reasonable language, literacy and numeracy skills and it means people who have some recent work experience. If a young person does not fit into one of these categories, it means they are not captured by this legislation. So, again, let’s be clear: we are talking about young people under 25 who are job ready. Remember that when we hear the rantings of some of those opposite, particularly Senator Bilyk. If you are unable to work, if you are studying, if you have carer or parenting responsibilities, if you are homeless, if you have mental health issues—the list goes and on and on—you are excluded from this measure by virtue of your vulnerability.

This measure will save $200 million by introducing the four-week waiting period, but we will see additional support services for young people looking for work—something like $375 million. It is primarily not about saving money. It is about saying that, if you are job ready, the best thing to do when you get out of school is not to go straight down to Centrelink. I would have thought that was a reasonable thing to say. I would have thought most parents would want to see that for their kids: that their kids do not just get out of school and go straight onto Centrelink. We want them to go out and do further study or further training or get a job. Surely, that should be what we are aiming for. From the contribution of Senator Bilyk as expressed in some of her language, she seems to be equating for young people that it is no different if you get a job or if you are on welfare. Apparently, that is just as good a path to prosperity, that is just as good a path to purchasing your own home and getting some financial security. Of course it is not. We want to see people getting jobs. We want to see people having the dignity of work. We want to see people having the opportunity to contribute through work to the broader society, through our economy, and to their own financial stability and all of the value which goes with that. Those on the other side would denigrate that and would consign people to systemic welfare. We do not want to see that.

But let’s be clear: the four-week waiting period is not just arbitrary or free time for a job ready young person. During these four weeks, young job seekers will be meeting with a jobactive provider. They will be agreeing to a job plan. They will need to develop an up-to-date resume. They will be creating a job seeker profile on the JobSearch website. And they
must provide satisfactory evidence of looking for work with up to 20 job applications. This is because we want young people in work. It is not just good for the economy; it is good for them; it is good for their families; it is good for their future prosperity. It is good for all of their outcomes in the future if they get a stable job, if they get a good job, if they are able to over time earn more money and if they are able to get a better job—one that pays them not just for their basic needs but for some of the luxuries in life as well. We all want that for our kids. We want that for all Australians, if they are prepared to work, if they are prepared to do what it takes.

I said earlier that many of us have taken jobs that were not ideal, that were not our favourite job. That is where most people start. They start at the local fast food store, they start with cleaning, they start at the local newsagency or they start doing the paper run—whatever that work might be. It teaches them about work ethic, it teaches them about the value of money; it teaches them all sorts of skills that they cannot get in other places. It is a fantastic thing. That is at the heart of what the coalition would like to see for all Australians, particularly for all of our young people as they make their way through the world.

I do note the safeguards and I will go through some of them. Our welfare system is in place for those who need it, and there are sometimes circumstances where young people have particular hardships and need a bit of extra help. I have talked about all the exemptions. We heard in the committee that this measure—when we take into account all of the exemptions for vulnerable job seekers, for people experiencing mental health, for people experiencing homelessness and for all sorts of other issues—actually applies to less than half of the job seekers in this cohort. That is why I found it interesting that we heard from a number of witnesses who would say, 'We're concerned about this vulnerable group or that vulnerable group.' This measure will not apply to those vulnerable groups. That is the good news. It is applying to those who are job ready. We are saying to you: 'If you are job ready and if you are not studying or if you are not doing further training, what you should be doing is doing all you can to get out there and try to get a job.'

We also heard interesting evidence from the department about the number of jobs that are available and the kinds of surveys they did of employers. They did a number of surveys of employers to seek their views on how they go with trying to recruit. This is a quote from the committee hearing:

When we talk to employers about trying to recruit for lower skilled vacancies—
It is based on a survey—
28 per cent of them say they have trouble filling those vacancies. These are jobs such as labourers, sales assistants and waiters. Employers are struggling to get suitable candidates presenting for those jobs and those who do present are not suitable. Those are some of the indicators that suggest to us that we need to work with the group of more job ready job seekers in employment services to act as quickly as possible to get them into work.

There we have further evidence presented to the committee—ignored by the Labor Party and ignored by the Greens—that in lower skilled jobs we have many employers, and that a significant proportion of those employers surveyed said: 'We simply can't find people to fill these positions. We simply can't find them.'

We know there are pockets where it is very difficult to get a job. We know there are some regional areas where it is particularly difficult to get a job. Those places are where the
government have been rolling out more programs. We have relocation allowances for those who have to go more than 90 minutes away. It is difficult in some areas to find a job. There is no doubt about that. That is why the government have said, 'We want to grow the economy and make job opportunities in those areas better.' We know there are pockets, particularly in some regional areas and parts of our cities, where it is difficult and so we have said, 'If you have to go further or even relocate for a job'—as many Australians do—'we will provide you with financial assistance to get that done.'

I have listed several initiatives of the government. On the one hand, we are saying, 'If you are struggling, we will do all we can to help. If you are genuinely struggling because of issues outside your control such as being in a particularly high unemployment area, we will give you a relocation allowance. If it is about training, we will give you support. If it is about mental health issues, we will give you support. If it is about homelessness or other vulnerabilities, we will give you support.' We also say, 'For those people who are particularly vulnerable, this measure will not apply to you.' I think that is fair.

For those who are job ready, we say, 'You should be out there looking for a job.' We say, 'Your first port of call after school should not be going down to Centrelink.' I think most Australians would accept this as reasonable. They would accept as reasonable that we do what we can to help those who are most vulnerable and that we say to those who can look after themselves, 'You need to get out there and make a fist of it.' There is a brief waiting period and then people who cannot find a job after that time will have access to these kinds of payments, even if they are job ready.

We have heard from employers, and they say they are struggling to find people to fill some jobs in lower skilled areas. For many of these jobs you do not need qualifications. You just need to be ready to go out there and have a go. You need to be ready to go and do your best and work hard. Some of them are not the most glamorous jobs. They are not. Let's be clear about that. But hundreds of thousands or even millions of Australians started out in jobs they did not necessarily like and were not necessarily the jobs they always dreamed of. But they were a start. They earned an income and had an opportunity. People take those opportunities and make the best of them. They gain skills, they gain experience over time and then they get jobs which are more suitable, which they prefer, which pay them better and which give them more opportunities.

I think that some of the nonsense we have heard from the other side, as I said earlier, reflects poorly on those individual senators. We should do all we can to help vulnerable job seekers. We have. More than half of job seekers are exempt from this measure. That shows how far we are going to ensure that those who are most vulnerable are not touched by this measure. We are talking about those who are job ready. We are talking about those who can go out there and get a job. Our simple message to those who are job ready and do not have the kind of vulnerabilities that get raised by various groups is: 'Don't just go straight down to the Centrelink office after school. That is not the right pathway. Go and find a job. Go and get further training. It will be better for you, our society and our economy if you take up those opportunities and contribute.' I commend this bill to the Senate.

Senator CAROL BROWN (Tasmania) (11:41): I rise to speak on the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015. Indeed, this is a very important piece of legislation because it is a stark reminder of the difference between the
coalition, who have continually attacked vulnerable people, and the Labor Party, who have always stood up to support and protect vulnerable people. Senator Seselja comes in here and talks about young people just going down to Centrelink. That is not what young people want. They would like to get a job. To suggest that because there is opposition to this legislation somehow we support that as well is really reaching.

Senator Seselja's contribution mentioned a number of measures that he says the government have put in place. What we on this side of the chamber have seen is the fact that when the government first came in they started cutting training programs. They ripped out $50 billion from education. They cut $270 million from the grants program in the Department of Social Services.

Let's not forget that this bill is the second iteration of the government's attacks on young job seekers. The measures in this bill have been rehashed and revised from the Abbott government's first budget. We all know what the first bill sought to do, and that was to cut payments for particular job seekers for up to six months. That was seen, quite rightly, by the community as unfair and harsh. It was rejected.

So those opposite have come in here today having reduced the period without income down to one month and have tried to suggest that this is some way of assisting young job seekers into jobs. Young people are not going to be able to get jobs without any income support. To think otherwise beggars belief. We know that young job seekers need support to be able to go to job interviews, to access transport to get to those interviews, to be dressed for those interviews and to be able to live as well. But the coalition on that side have, from the very first day, throughout their push to strip away income support from job seekers, decided to attack the most vulnerable. They did it in their first budget, not only in this area but all through their first budget. Thankfully, most of that was rejected in the Senate.

The measures contained in this bill are harsh and unfair. They are not much different from those that were proposed and rejected last year. These measures aim to withdraw the social security safety net from a group of young Australians who are highly vulnerable to disadvantage. These measures attack the very heart of our social security system, which is built on the principle that people have the right to adequate income support. The impact of this piece of legislation is clear. The impact of abandoning young job seekers is plainly clear to see for all, except for those opposite. These measures will not help young people into employment. They will not aid young Australians' ability to seek and sustain employment.

The dissenting report from Labor senators quoted from the submission by the Australian Council of Trade Unions which said:
The measures contained in this Bill are harsh, draconian and unfair, and very little different to those proposed (and rejected by the Senate) last year.

It is very important to remember that these measures will not provide an incentive for job seekers to become self-sufficient. I believe that those opposite know that because this is not about providing incentives; this is about attacking young job seekers and those most vulnerable. This is about their budget bottom line.

This bill will drive young people into financial hardship and poverty. It will make it harder for job seekers to focus their energies on finding employment. Pushing people into poverty only makes it harder for them to search for work and get a job. The Australian Association of
Social Workers outlined the following in their submission to the Community Affairs Legislation Committee which, again, was quoted in the dissenting report from Labor senators: Factors leading to poverty such as lack of money for accommodation, subsistence food, clothing suitable to attend job interviews or insufficient funds for transport all interfere with people's ability to actually look for work.

These measures are completely counterproductive. The outcomes will be at odds with the government's stated intention. This is the very definition of poor public policy. As Mission Australia's David Pigott told the Community Affairs Legislation Committee:

We … think that the current measures before the committee are a bit like using a sledgehammer to crack a nut …

This government clearly believes that the solution to a 13.8 per cent youth unemployment rate is to take a punitive approach to young job seekers, to take the big stick approach. There is no consideration of actually addressing the systemic labour market issues and other barriers, which are the issues which impede young Australians' ability to support themselves through to employment. In his evidence to the Senate committee Mr Pigott stated:

We are concerned, however, that the current budget measures before us risk taking a punitive approach to young people in the current labour market, where there is only one job available for every six job seekers. Youth unemployment has remained stubbornly high since the global financial crisis, and in some areas where we work it is as high as 30 per cent.

Youth unemployment is at very worrying levels all across the country. In regions, in my home state of Tasmania, the youth unemployment rate is over 20 per cent, particularly on the north-west coast of Tasmania, whose representative is Liberal MP Mr Brett Whiteley, who supports this piece of legislation to strip young job seekers of income support. He should be ashamed.

Apparently those opposite believe that this is the fault of young people. We have over 20 per cent youth unemployment in some regions in Tasmania, and yet those opposite believe that this is the fault of young people. They believe young people are simply not trying hard enough to get jobs. They believe young people will find work if they are forced into destitution. The reason the government are taking this approach is not, as I have said, because of overwhelming evidence to support their view—that evidence is not there—or evidence of the effectiveness of cutting payments for jobs. Again, that evidence is not there. The reason they have taken this view is that it is easy. It is easy to demonise young job seekers, and they have done that since they first got elected. It is easy for the coalition to find budgetary savings by cutting support for the most vulnerable people, people whose voices they do not think will be heard. Let me tell you, Madam Acting Deputy President, these people's voices will be heard, because Labor will speak up for them and will continue to fight the government's harsh budget measures.

Those opposite will argue that the most disadvantaged will be exempt. We have heard that in the contributions so far today. They will argue that the most disadvantaged will be exempt from the measures and those who do experience financial hardship will be able to access emergency relief. This is nothing more than an implicit admission that this policy will push people into poverty.

The government know that this measure will push some young people into homelessness. They know that this measure will leave people without food and that it will leave them
without money for transport or their bills. Ms Kate Beaumont, President of the National Welfare Rights Network, highlighted in her evidence to the Senate committee:

This is clearly is not a path to self-sufficiency; it is a one-way street to poverty, an impact on long-term unemployment, poor health, depression and homelessness. This is borne out by the government allocating $8.1 million to help pay the people made destitute by this very policy. The simple reclassification of people and grant them interventions, if their situation deteriorates during the four-week waiting period, should be enough to convince the public that this is a bad idea, poor social policy and should be rejected.

The emergency relief system, like many community support services, is already stretched to the limit, particularly following the government's previous decision to cut $270 million from Department of Social Services grants. So the $8.1 million will do little to stem the appalling impact of this bill.

The most outrageous of all the measures in this bill is the proposal to establish a four-week income support waiting period for young job seekers. This would see young people under 25 have to wait four weeks prior to receiving income support, in addition to the one-week ordinary waiting period and any other waiting periods that might already apply. On the government's own estimates, this measure will affect 75,000 young people per year. A number of these job seekers will be subject to multiple four-week waiting periods in 12 months. This is nothing but a grab for cash at the expense of these young jobseekers.

The government claim that this measure will save $173.3 million over the forward estimates—but at what cost to the lives of young job seekers and their families, many of whom will be financially crippled by this measure? It is just a watered-down version of the government's initial plan in the 2014-15 budget, which sought to require young people under 30 to actively seek work for six months prior to receiving income support payments. Make no mistake, whether it is six months without any income support or one month, this measure will push young people into poverty and hardship.

The reality of this measure is far from the idyllic existence that those opposite will have you believe. It is not as simple as being supported by your parents for four weeks. For some families, providing for young job seekers for at least five weeks will mean not only that young job seekers will be pushed into poverty but that their families will be placed under financial strain. Then there are those young job seekers who cannot rely on their families for financial support. Maybe these families simply cannot afford it or maybe there is a strained relationship. It is these young job seekers, who do not have the financial support of their families, who will be hardest hit by this measure.

Aside from the obvious financial impacts, experts have also raised real and serious concerns about the impact of this measure on the health and wellbeing of young job seekers. Mental health support and advocacy organisations have voiced their concerns that this measure and the resulting financial hardship will exacerbate or trigger mental health issues such as depression and anxiety. The National Youth Mental Health Foundation, headspace, raised this concern:

… we believe these changes are unlikely to encourage greater workforce and education participation, but rather have the potential to impact negatively on the mental health and wellbeing of all young Australians and disproportionately on those already disadvantaged due to factors such as mental health difficulties, poverty, social isolation or disengagement from family.
Whilst there is significant evidence showing that this measure will push young people into financial hardship and poverty and will have a negative impact on their health and wellbeing—that is quite clear for those who want to listen—there is no evidence to show that it will help young people into work. This was an issue that Labor senators took up throughout the Senate committee inquiry. Participants to the inquiry were unable to identify any evidence to support the rationale for the measure. Even the minister's own department, the Department of Social Services, conceded that there was no evidence that the measure would help young people find work. Departmental officials also specifically refuted the government's claim that the measure was comparable to the New Zealand model of support for young job seekers. Put simply, this measure is based on flawed assumptions about the causes of youth unemployment. Instead of assisting young people to tackle barriers to employment, this measure will punish them.

I turn to the age for eligibility for Newstart. The pain in this bill does not stop after the four-week period without income support. Another measure in the bill seeks to cut payments to young people by extending youth allowance (other) for 22- to 24-year-olds in lieu of Newstart and sickness allowance. This would result in a cut of at least $48 a week for young job seekers between the ages of 22 and 24. That would be almost $2,500 a year. Those opposite have said that this measure is to 'provide incentives to young unemployed people to obtain the relevant education and training to increase employability'. Yet, at the same time, they have cut funding for education, they have plans to cut funding for vocational education and training opportunities, they have cut $1 billion from apprenticeship programs in the 2014-15 budget, they have replaced apprentice support with apprentice debt and they have sought to introduce $100,000 university degrees.

If the government are serious about assisting young people to gain the skills and education they need to find work, perhaps they should start by looking at their own record rather than seeking to punish the very same young people that are the victims of their vicious attacks on education and training. This measure will simply exacerbate the disadvantage that some young people face in the job market while doing nothing to address the structural problems faced by young job seekers.

The bill also seeks to apply a one-week waiting period to all working-age payments. This is just another rejected and rehashed policy from the government's failed first budget. As well as extending the ordinary waiting period to new payments, this measure seeks to further restrict the current exemption on the basis of severe financial hardship. It is proposed that the exemption should only apply if a person is also experiencing a 'personal financial crisis'. The very idea that our national safety net would only be available to people once they are at the point of crisis strikes at the heart of our system. The administrative and documentary requirements that are associated with this exemption are also very burdensome and would mean that many people who should have the waiting period waived would nonetheless be forced to serve the period.

The other element of the exemption is if the severe financial hardship relates to domestic violence which has taken place in the previous four weeks. The lack of understanding about the ongoing impact and support needs of women and children seeking to escape domestic violence is absolutely sickening. That this government believe that the financial impact of domestic violence only lasts for four weeks is beyond belief. It makes me question the
sincerity of its commitment to addressing the issue. Again, the impact will be that people who should be exempt from this waiting period will be forced to wait an additional week before they receive any support.

There are other measures in this bill that seek to undermine the income support system. But, in the short time I have left, I can only say: we should be working to invest in education and training. I urge the Senate to oppose these measures.

Senator XENOPHON (South Australia) (12:01): The background to the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015 is the government's first budget in 2014. One of the most contentious social security measures in recent memory was announced by the Treasurer in May 2014—a six-month suspension of Newstart allowance for young adults. That, justifiably, created a lot of controversy. Senator Brown outlined some of the very broad community concerns in relation to that. The government could not get their social security changes through the Senate. I believe they would have led to spiralling poverty in many parts of Australia at a time of rising unemployment.

The key to this is to create an environment for jobs, encourage training and ensure that we do all those things to build the job market in this country. That is why we are facing a very real crisis with the demise of the automotive sector in this country. According to the Bracks review, a very sensible review of the automotive sector, we are looking at upwards of 200,000 jobs being lost in this country, in South Australia and Victoria in particular, with several thousand jobs also at stake in New South Wales and other parts of the country. It is a time when unemployment in this country could skyrocket if we do not get the policy framework right and encourage jobs and local manufacturing, particularly now that our dollar is hovering below US70c. The low dollar is very welcome. I hope that Senator Canavan and others welcome that low dollar, which is good for our farmers and our manufacturers.

Senator Canavan: I can't do anything about it.

Senator XENOPHON: You cannot do anything about the dollar? You can do this. Senator Canavan—who I have a lot of respect for—

Senator McKenzie: Don't talk about it.

Senator XENOPHON: I do not know what Senator McKenzie means when she says, 'Don't talk about it.' We need to talk about jobs. We need to talk about the need to encourage manufacturing. We need to talk about the fact that there are 3½ thousand jobs at stake at the Port Kembla steelworks and something like 10,000 additional jobs reliant on it.

We need to have tough antidumping laws in this country. I only want us to be as tough as the Americans and the Europeans are in defending their local industries against illegal, unfair dumping practices. We do not have the right regime in place right now in terms of dealing with antidumping. That is the background to this. We are facing massive job losses in this country. Unless we consider that in the context of this bill then we are missing the point. South Australia has been hit hardest in terms of unemployment figures. It topped the nation, sadly, tragically, at over eight per cent a couple of months ago. It is the highest unemployment rate in 15 years across the nation.

Here we are considering again the government's measures to impose what it calls 'disincentives' for young jobless people to draw on government benefits. Obviously we need
to have clear and firm rules in place so that people who are getting benefits are doing all they reasonably can to get employment in the workplace.

_Senator McKenzie interjecting—_

_Senator XENOPHON:_ Senator McKenzie agrees with that. I think we all agree with that. You cannot have people using this as some sort of measure where there is no reciprocal arrangement or mutuality to do your best to get a job. But the fact is that jobs are not out there. Youth unemployment in the northern suburbs of Adelaide was 16.9 per cent in the year to July 2015. In the southern suburbs of Adelaide it was 15.4 per cent. But you need to take into account this important point: we have changed the basis upon which we determine unemployment figures in this country from what it was many years ago. It used to be that, if you worked more than 15 hours a week, you were not deemed to be unemployed. Now the figure is, as I understand it, one hour a week. That is not realistic. We are grossly understating the level of underemployment in this country because of the statistical basis upon which we determine what it is to be an unemployed person. The levels of underemployment and unemployment are very significant in this country. There are many people who cannot afford to buy a house or a car or plan for their family's future because they are really scraping by with the hours that they are working. They are grossly underemployed.

Having a one-month waiting period for the newly unemployed under the age of 25 could make a big difference to whether somebody loses their ability to pay rent, loses their home, couch-surf, or slides into homelessness. The test ought to be whether that person is making a fair dinkum effort to find work. That should be the test, not this arbitrary threshold of saying, 'If you happen to be young, we're going to throw you off benefits.' I know the government, through Minister Morrison, has a number of programs in place to encourage people to participate in the workforce, which I welcome, but this stick, which is what this measure is, would be a completely retrograde step.

Additional job-seeking activities—in addition to those already in place for Newstart allowance—will be imposed during that period. A new one-week waiting period is also being extended from Newstart allowance to other payments including parenting payment and youth allowance. And the government still wants to keep young people on the lower youth allowance for longer. Under the bill a young person will not receive Newstart allowance unless they are aged 25 or above, up from 22 or above. Newstart cannot on any measure be determined to be generous. I have deep concerns about the practical impact of these changes at a time when unemployment is rising and some are even predicting Australia is heading for a contraction in our economy. I think the figures from last month indicate that per capita there has been a contraction, which of course is a matter of very serious concern.

The budget papers for this bill say the new four-week waiting period 'will set the clear expectation that young people must make every effort to maximise their chances of successfully obtaining work.' There seems to be implicit in that part of the budget papers an assumption that young people are not already doing all they can to get off government payments. This is not a generous benefit—it is way below the poverty line. I want to introduce a concept that I hope you, Mr Deputy President, and others may want to take up outside the forum of debate on this bill. The poverty line, according to the Melbourne University's Melbourne Institute of Applied Economic and Social Research, for the March quarter of 2015 is in the order of $510.16 a week for a single person and $682.45 a week for a
couple. My argument is that Newstart is in the order of $250 a week, and at the moment if you earn more than $102 per fortnight you lose 50c in the dollar of that until your benefit is extinguished, so if we accept that the poverty line is a reasonable basis for determining the bare bones upon which a person can subsist then why do we punish people who earn more than $50 a week with a severe 50c basically tax? Surely we should be encouraging people to at least give it a go, to get in the workforce, to try work with small businesses particularly, even a few hours a week, and not penalising them at least until they get up to the poverty level. That is something that we need to consider and have a sensible national conversation on, because there is an anomaly here: if we accept that the poverty line is a robust measure of what is needed in terms of a subsistence existence in this country then why are we penalising people way below the poverty line, where they are effectively being taxed 50c in the dollar for anything they earn over $51 a week? Many young people would like to give it a go—even a part-time job with a small business—but they risk having to do all the paperwork and being done for Centrelink fraud. There are disincentives, and we need to have a sensible look at that.

The government does not appear to have produced any evidence to support its assumption in the budget papers about what this waiting period is about. While the measures in this bill are a pale imitation of the changes first raised in the 2014 budget, the rationale is still there—and that rationale is fundamentally flawed. By all means encourage people to look for work and have strict tests to make sure that they are doing all they can to find work. I think this bill is fundamentally flawed in respect of this, and I think Senator Carol Brown in her contribution raised the issue of domestic violence. It is good to acknowledge the impact of domestic violence but I think the bill has got it around the wrong way. What the bill is proposing to provide as an exemption does not take into account the magnitude of the problem. I want to acknowledge that the federal government has done much good work in relation to this. Their advocacy of and their support for the campaign of Rosie Batty, the Australian of the Year, and others ought to be commended but respectfully I say that this provision in this bill does not address the issue as well as it could. I do not ascribe any improper motive on the part of the government in relation to that, I just say that they have missed the point.

Going back to the provisions of this bill, Richard Denniss from the Australia Institute has said, citing surveys by Mission Australia and others, that young people in fact want to work and want to work more hours, but they face a number of barriers from doing so. I note that social service providers do not support the waiting periods and the change in the age cut-offs for government payments. The Senate has received submissions that nowhere else in the world has a government imposed a waiting period for payments for young people without any other means of support. The Australian Council of Social Service has also commented on this. Cassandra Goldie did some terrific work with Minister Morrison in reaching what I thought was a sensible and fair compromise on means testing and taper rates for pensions, which I agreed with and the Australian Greens supported. It was a positive contribution by a ACOSS, as is often the case, to improve our welfare system and to make it sustainable in the longer term. ACOSS has said that it was regrettable that the income support waiting period measure for young people had only been modified, rather than reversed, and that there 'was no justification for this measure.'
Other community sector and welfare groups have restated their opposition to extended waiting periods for young people to access income support, including the National Welfare Rights Network, the Brotherhood of St Laurence and Mission Australia. These are the groups that know; these are the groups that have to pick up the pieces when someone's life falls apart because they cannot find work. I am concerned, like others who have looked at this bill, by the unintended consequences of the waiting period. Do we really expect young people to be in a position to find work—or meet the additional job-seeking requirements imposed by this bill—if they have no means of financial support?

I would think their primary concern is putting food on the table and avoiding being evicted from their accommodation.

I cannot support the bill. There is a better way of tackling this issue and that is to do all we can to create jobs and opportunities for Australians. That involves looking at issues of productivity, ensuring that our antidumping laws are stronger against jobs being lost to unauthorised illegal dumping from other countries, and supporting our manufacturing sector, particularly with the crisis facing South Australia and Victoria in the automotive sector. Of course, it would be remiss of me if I did not say that it would also make a big difference in terms of confidence to Australia and in particular to South Australia if the Commonwealth government, as a matter of urgency, announced that the future submarine project be built in South Australia, as promised, with benefits flowing to all states in the Commonwealth.

Senator McKENZIE (Victoria) (12:15): I too rise to speak to the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015. All of us come here to build a better future for our nation, for our families and our communities. Addressing the scourge of youth unemployment has to be key to the work that we do here because it represents our future. All of us know the issues with intergenerational poverty, brought on as a result of unemployment through generation, through generation, and the implication that has not only for that family's welfare but also for the community, the education systems that those children go through and indeed, as evidence would suggest, the corrections facilities. We all have to be working very hard to address this issue, to ensure that young people right across Australia have the chance to get a job, participate in the workforce and contribute not only to their community and the national economy but indeed to the financial security of their families. This means that we need a system and a society that ensures they are adequately educated and skilled for that work.

The bill currently before us does not stand alone. If we look at what will provide local employment opportunities for young people, we see that it is about having adequate education and training services. It is also about having a robust economy. That is something that we as a government have absolutely been focused on, ensuring that the levers that we can control are all set in a direction that will actually drive productivity and economic growth not only in the present but well into the future. That is what we know will actually provide job security for young people in the longer term.

When we look at this bill and the amendments brought forward, which simply reduce the waiting period from six months to four weeks, we have to see this not as a stand-alone piece of legislation. This in fact is one aspect of our government's absolute and total commitment to ensuring jobs right across the economy and, in particular, jobs for young people. In the 2015-16 budget we announced the Growing Jobs and Small Business package, which increases
support services to those impacted by changes in the bill. We have invested $18.3 million in additional work experience places, providing job experience and connection to employer, because we know that is half the battle. You might have the bit of paper that says you have got the skills, you might have the personality and you might have the determination and drive, but you lack work experience. If I am a small business owner and I have got a position open, I need to be assured that the person I am hiring—I want to hire a young person, I want to give them a chance and a start in life, like somebody did for me many, many years ago—actually has the experience to work and be job ready. So this particular measure addresses one of the key barriers for young people getting employment.

We are also running intensive support trials for vulnerable job seekers, at a cost of $55.2 million. I note the comments by senators opposite about our government’s harsh, targeted attack on vulnerable job seekers. It flies in the face of the actual facts. Do not let the facts get in the way of a good scare campaign—that is the Labor Party’s local mantra. The sum of $55 million is actually being targeted at the very job seekers who you say need support. We are absolutely doing it. And I will go into greater detail later on.

Senator Brown made comments about the punitive nature of our government but, when I go through the actual measures, I see that our government are putting in place well-researched, evidence-based practical solutions and programs that assist young people into real jobs. Senators opposite argue about the right for income support. I think young people have a right to a job, because then they can be self-determining about where they go, what they do and how they are empowered. That is the first step of going forward to being a contributing member of society. We are prepared to put our money where our ideology is, where our belief system is and that is in supporting and addressing some of those key barriers, particularly for vulnerable young people.

There is $19.4 million for youth with mental health conditions; $22.1 million for vulnerable young migrants and refugees; and continuing support for parents to prepare for employment. We know that that is the greatest indicator of whether, as a young person, you will actually go on and get the job of your choice or indeed any job. If you are actually going to be involved in the workforce, having parents who are role models for children and young people with respect to what you have to do to get a job—how you have to get up, get ready, rock up on time, be responsible et cetera—is incredibly important if they are actually going to go on to get a job.

We are actually trialling that to see what works so that we can ensure the money from Australian taxpayers—which everyone pays, because we want to have a social security system that is supportive of those in need in our community—is actually targeted at where it will deliver the best results, getting young people into jobs. We want to ensure that those most disadvantaged in our society are prepared for work and know what is involved, particularly those young people from families of intergenerational poverty. And those senators from Tasmania absolutely know firsthand what a scourge intergenerational poverty and unemployment can be for not only those families but communities more generally. We want them to be prepared for work. We want them to find a job, we want to help them find a job and, most importantly, we do not want them to churn through jobs. We want them to stay in the job and gain those very valuable skills. We want them to have that sense of confidence and empowerment that comes from working hard for the day, contributing and seeing a return
for their efforts. Obviously, getting some pay in your bank account after a couple of weeks does not hurt either.

We have heard lots of claims from lots of senators about a variety of issues, but the debate today should really only focus on the income support waiting period because we have previously spent oodles of hours in this place debating the other measures contained within this bill. When we think about being job ready, what does that actually look like? It means you have to live in an area of good employment opportunities, you need to have reasonable literacy and numeracy skills, you need to have had recent work experience—and that is exactly the type of preparatory work that our measures go to addressing. The measure will save $200 million by introducing a four-week waiting period for youth under 25 and cost $375 million in additional support services for young job seekers, so the total cost of the reversal is $1.8 billion.

During the first four weeks young job seekers will be meeting with a jobactive provider, agreeing to a job plan, developing an up-to-date resume, creating a job seeker profile on the JobSearch website, providing evidence of satisfactory job search with up to 20 job applications. These are the sorts of things that our government has decided are going to give our young Australians the best chance of actually getting a job—you have to have the resume, you have to actually rock up to appointments on time when you make them. Creating a job seeker profile and actually applying for jobs is also important.

We have also made $1.8 million available in emergency relief funding to provide assistance to job seekers affected by the measure and experiencing hardship, so we are hardly the punitive government that senators opposite would have you believe. We are absolutely targeting our funding to those most in need, as we should be. Those young people who live at home with parents who are more than able to care for them during this period should absolutely be doing that. That is the responsibility of us as parents—that is, to assist our young people. Obviously, for those families who lack that capacity and those means, our government has targeted measures to assist them, so do not believe the hype of the other side. Every single thing we have done around our jobs package and our small business package is absolutely focused on encouraging young people to make every effort to look for work and maximise their chances of finding a job.

The bill also includes a number of important exemptions for the four-week waiting period that have not been mentioned by senators on the other side, so I thought I would add those to the debate. If someone has served a four-week waiting period in the previous six months they will not have to serve another if that job ends through no fault of their own. We understand that stuff happens. If you have diligently been working hard—turning up to work, contributing to your employer's benefit—and you lose that job, then we do not expect that you have to go through the waiting period again. You have done exactly what we have wanted you to do—that is, go out, get a job and stick at it. If you have a disability or an activity test exemption you will not have to serve the waiting period. And the measure will not impact job seekers who have left state care within the last 12 months.

It is estimated that 6.5 million young people under the age of 25 are living at home with one or two parents, and that would suggest that those families are able to care for those children during short periods of hardship when they are between jobs. Some of those young people may not require income support payments. I need to make it clear, and this has come
through in evidence to the Senate education and employment references inquiry into temporary working visas, that young people in Australia can sometimes be a little picky about the types of jobs they take. We want you to get a job, any job, a suitable job; we do not want you to wait for the job that you would like to have and have the Australian taxpayer support you until you find that dream marine biology position you have been waiting for in Cairns. That is not the role of government, it is not the role of the Australian taxpayer. The very precious dollars that Australian taxpayers provide the federal government with to support the vulnerable in our society need to be targeted to just that, not to families and young people who can make discretionary choices about the types of jobs that they would like to have rather than getting any job at all. I would hope that that would be a principle that all of us would agree with.

These measures are fair, they are targeted, they are strategic, they are evidence-based, and I think, in terms of policy development, that is really what we need to focused on. I remember in the period between when I left school and when I headed off to uni, I worked in a pizza shop. I liked working in a pizza shop because I got free pizza and I did not mind waitressing—you get to have a chat to the customers—but I hated picking cherries. It is hard work, and you have to do it a certain way to get—yes, senators here are nodding; they have done it too. They know what I am talking about. You have to do it a certain way to make sure you get two cherries stay on each stem. That was backbreaking work, but I did it.

Again, I refer back to the Senate education and employment committee's inquiry into temporary working visas: sometimes those involved in the job discussion across Australia—and I am specifically thinking of Ms Kearney of ACTU fame—have a very simplistic equation that they bandy about—that is, X youth unemployment in this regional area equals Y 417 visa applicants, the backpacker visa, over here. Instead of getting all of those 417 backpackers into your cherry farm or into your banana farm up north, Senator Canavan, you have high youth unemployment in your local region. It is a very simple, basic equation: A equals B, so we will just swap them. That is an absolutely innumerate response to the very, very complex reasons as to why young people, particularly in regional areas, cannot find work. It is a complex problem and it points to the fact that the ACTU more generally has absolutely no plan to address youth unemployment—no plan. We have been talking about youth unemployment. It is a scourge because it affects confidence and it affects future productivity for our nation. Importantly, how are these young people, as they grow older and have families, going to be able to provide for those families and have that financial security and stability that we all need? I have not heard one good idea or one practical idea from the other side. I am going to run through some of the fabulous ideas that our government is implementing, in stark contrast to those opposite and their rhetoric and the ACTU's rhetoric around this issue, which will be put to shame, because you cannot just say, 'A equals B.' It is a very complex equation: how you support a young person into work and make sure they have the skills and experience they need to stay there.

I mentioned work experience. The National Work Experience program provides job seekers with an opportunity to undertake work experience in businesses for up to 25 hours per week for four weeks to improve their chances of finding work. This is evidence based. They will retain their income support payment during this time and will receive a supplement of
$20 per fortnight. Employers who have had a great experience over four weeks can go on with this young person who has rocked up every day, bright and shiny, keen as mustard and delivered every day. Many of those young people will be offered permanent employment in those small businesses. Those employers will get access to a $6,500 wage subsidy for youth, Indigenous job seekers, parents or the long-term unemployed—and, obviously, the Restart wage subsidy of $10,000. The program will help approximately 3,500 job seekers in the first year and 6,000 per annum in the following year. That is great news for unemployed young people, and that is the Abbott government delivering jobs through the National Work Experience program.

Similarly, the $212 million Transition to Work service will help young job seekers most at risk of long-term unemployment improve their chances of finding and keeping a job. This is important stuff. It is complex. These are human beings who are situated in certain contexts and are surrounded by certain sociocultural impacts and influences. They may have low literacy and numeracy levels. We are funding support programs to help them directly. You would not have thought that if you had been listening to anyone opposite—it is absolutely not true. Our intensive targeted support for vulnerable job seekers is terribly exciting. If you had been in here about 40 minutes earlier, you would have heard rhetoric from those opposite about the harsh and punitive nature of the Abbott government when it comes to the most vulnerable in our society. What a joke! I challenge them to match our support programs—the innovative youth program trials for 3,000 people annum; $55.2 million for up to 40 community trials to explore better ways of getting young people at risk of welfare dependency into jobs, especially when there is entrenched disadvantage.

We know that this is a problem in our communities. In regional communities right around Australia, high youth unemployment is incredibly confronting and it is very, very concerning. It does not matter whether I am talking to young people, whether I am talking to industry wanting the skills for the industry of the future or whether I am talking to grandparents—everybody is concerned about this. I would point to a report by the Foundation for Young Australians into the new work order and the types of skills and experience that our young people are going to need for the economy of the future. It makes very, very interesting reading that we all have to take note of.

In terms of our intensive support for vulnerable job seekers, we have support for parents to plan and prepare for employment. As I have said, great role modelling will make the biggest difference. We have employment support for young people with mental illness—$19.4 million for trialling and supporting 200 young job seekers with mental illness in disability employment services by providing job-readiness vocational and in-work support. I could go on and on and on. In stark contrast to those opposite, this government is serious about the scourge of youth unemployment. We have a suite of measures to address it and to research some of the causes and what is going to make a difference on the ground so we can target the Australian taxpayer dollar effectively and solve it. There is deafening silence from the other side. (Time expired)

Senator MUIR (Victoria) (12:35): I rise to make a brief contribution to the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015. This bill introduces a number of measures in the social services portfolio, including 2015 budget
measures and several measures previously introduced in the Social Services and Other Legislation Amendment (2014 Budget Measures No. 4) Bill 2014.

There are five schedules to the bill, and I understand that the opposition will be moving amendments to oppose all of these measures except those in Schedule 4. I will be supporting these amendments to oppose those schedules. I would like to focus on Schedule 3 of the bill which, if passed, will see around 75,000 people under 25 will be hit by a four-week waiting period. In the community, a four-week waiting period will really hurt youth who do not have support of their families. For those who live with their parents, but their parents happen to be poor, this is also a really tough measure. Less fortunate families rely upon their young people to bring money into the household to balance their budgets. And four weeks is going to be four weeks too long and will place more pressure on these households.

I do acknowledge that there are a number of important exemptions to the four-week waiting period. The argument has been made that these exemptions from the four-week waiting period will ensure vulnerable people will not be affected. But Centrelink is entrusted to make assessments of the circumstances of the young people in order for the exemptions to kick in. I have great respect for the staff who work at Centrelink, but they are under a lot of pressure and have limited time to process applicants for payments. We know that often young people only reveal their full circumstances once a relationship of some trust has been established. The National Welfare Rights Network has stated that:

A person on the minimum wage would find it difficult to survive a few weeks without any regular income. So why are we cutting payments for young people who live on at most a Youth Allowance of just $213 a week, which is only 32 per cent of the minimum wage?

The measures in this bill have brought us to a tipping point with regards to inter-generational equity in this country. History will judge us poorly if we do not give Generation Y the hand up that they need. Our youth should not have to carry the burden of the labour market's structural failings. We need to avoid scarring tens of thousands of young people each and every year with a raft of harsh and punitive social security policies that basically blame them for the failures of the labour market to provide sufficient jobs for all those that want them.

I recognise that there are a minority of people that do the wrong thing. There may be young people who finish school, live at home, can't be bothered looking for a job and expect the government to pick up the tab. This is not on, and if there was a policy that could guarantee that only these people would be captured, I could support that. However, I cannot support a punitive policy that paints all young people with the same brush in order to target a minority.

**Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services)** (12:39): I thank colleagues for their contributions. Colleagues have well canvassed this bill that we will introduce for the 2015 budget measures in the social services portfolio, along with certain other measures from the 2014 budget and earlier fiscal decisions. The 2015 budget measures incorporate the reintroduction with modifications or the replacement of three 2014 budget measures introduced previously.

The one-week ordinary waiting period that currently applies to the NewStart allowance and the Sickness Allowance will be extended to the Youth Allowance (Other) and the Parenting Payment. This measure modifies last year's budget measure so that Widow Allowance claimants will not be affected. The one-week waiting period is designed to encourage people to support themselves in the first instance where they are able to do so before seeking income
support. The existing severe financial hardship exemption from the ordinary waiting period will be retained, but a new requirement introduced is that the person is also experiencing a personal financial crisis. This could include domestic violence or unavoidable or reasonable expenditure. This will better target the exemption to those who are most vulnerable and most in need of immediate assistance.

The bill currently provides for these amendments to start on 1 July 2015, but government amendments will provide for a new start date for the measure. From 1 July 2016 the age of eligibility for the NewStart allowance and Sickness Allowance will be increased from 22 to 25. Young jobseekers between the ages of 22 and 25 will be able to apply for Youth Allowance instead. This measure delays the start date of last year's budget measure by one year to 1 July 2016. Young people aged 22 to 24 and already in receipt of NewStart allowance or Sickness Allowance on 30 June 2016 will not be affected and will remain eligible for these payments. This measure will broadly align rates of payments for young unemployed people with the rates for young people studying full-time. Currently NewStart and Sickness allowances are paid at a higher rate than Youth Allowance. This can act as an incentive for young people aged 22 to 24 to either give up full-time study in order to access NewStart allowance or stay NewStart allowance instead of pursuing full-time study to aid their transition into work.

The changes to the age of eligibility will remove this incentive by placing all young people aged under 25 on Youth Allowance irrespective of whether they are unemployed or studying full-time. There is more flexibility to earn while on Youth Allowance. The income free areas are higher before payment is affected and so this change will strengthen the incentives for young unemployed people to work or pursue education and training opportunities.

The 2014 budget measure, stronger participation incentives for jobseekers under 30, which sought to introduce a six-month waiting period for those under 30 applying for NewStart allowance, Youth Allowance or Special Benefit will no longer be implemented. Instead, this bill introduces a four-week waiting period for those under 25 applying for Youth Allowance (Other) or Special Benefit. This measure forms part of the Youth Employment Strategy in the Growing Jobs and Small Business package. This measure will start 1 July 2016 and will only apply to jobseekers assessed as job ready in Stream A of jobactive. We know that in New Zealand when a similar measure was introduced 40 per cent of job seekers did not go on the payment; they went out and got a job rather than completing the pre-entry requirements. This evidence supports our approach.

During the waiting period young people will be required to undertake pre-benefit activities through a new program, Rapid Connect Plus, which will help them to prepare for and find work. These pre-benefit activities will include meeting with a jobactive provider, agreeing to a jobactive plan, developing an up-to-date resume, creating a jobseeker profile on the Job Search website and submitting up to 20 job applications. Jobseekers who have been assessed as having significant barriers to work will not be required to serve the four-week waiting period. This will include people assessed as Stream B or C of jobactive, parents with 35 per cent or more care of a child and young people in or leaving state care.

In this bill there are amendments to see that anyone who is incorrectly classified as Stream A when they should be B or C will be back paid. This is a significant amendment and will further protect Stream B and C jobseekers. Exemptions from the four-week waiting period
will also be available to jobseekers with the temporary activity test exemption of more than two weeks, such as pregnant women in the six weeks before they are expected to give birth or people testing their eligibility for the Disability Support pension.

In recognition of the importance of education and training in preventing future unemployment, young people who return to school or take up full-time vocational education or university study will be able to access student payments, such as youth allowance student, without having to serve a four-week waiting period. Under the Growing Jobs and Small Business package, there will be additional support options for young people with a mental illness—

Debate interrupted.

STATEMENTS BY SENATORS

Australian Defence Force

Senator McGrath (Queensland) (12:45): Today I wish to talk about a recent trip to the Middle East, but more importantly I wish to revisit the issue of an Australian Defence Force covenant. The memory of the Gallipoli landings 100 years ago and the ongoing commemorations of the Anzac spirit have brought the valour and service of the Australian Defence Force to the forefront of our national consciousness. The Australian Defence Force is a contribution, like no other, by brave men and women charged with defending the freedom and liberties that Australians enjoy and take for granted, be that at home or much further abroad. I have spoken previously in this place about the establishment of an Australian Defence Force covenant to recognise and to support the contribution that Defence Force personnel and their families make to our nation.

Before I focus on the covenant, I want to talk about my experiences in July when I travelled to the Middle East with fellow Queenslanders, Senator Barry O'Sullivan and Warren Entsch, the member for Leichhardt, as part of the Australian Defence Force Parliamentary Program. The opportunity to witness and experience the work of our Australian Defence Force personnel has reinforced to me the need for a Defence Force covenant in Australia. Our visit to the Middle East permitted us the opportunity to meet and speak with men and women serving overseas from the Navy, Army and Air Force. We were very fortunate to visit the Newcastle along with the Al Minhad and Al Dhafra air bases.

I do not think I can name names, but I say to all those that helped organise the trip and look after us in Australia and in the Middle East and who showed us how they served our country, that I am both thankful and humbled by what you do and how you do it. We sleep soundly in our beds because of you and your service. Everything that my colleagues and I saw clearly demonstrated the focus of the Australian Defence Force in fulfilling their obligations to all Australians by their defence of Australia and its interests. Whatever your views on the world at large, you should be proud of the character of the men and women who serve and have served our country in the Australian Defence Force.

Being nosey-parker politicians, we spent our time asking members of the ADF while overseas about their service, what we should know and what we could do to help them. To a man and to a woman, none complained about their living conditions or the toughness and isolation of family separation, but all focused on what tools or resources would help them to do their job better. To me, what stood out was that the sailors, soldiers, airmen and airwomen
who serve in the ADF are deserving of formal recognition by the Australian parliament on behalf of the Australians that we represent.

Since I last spoke on this issue, I have continued to liaise with defence and ex-service organisations and government and other stakeholders on a pathway towards an Australian Defence Force covenant. As a reminder, in October last year I went to Brisbane and convened a round table of ex-service organisations including Legacy, the RSL, the Defence Force Welfare Association, the Queensland Veterans’ Advisory Council, the Royal United Services Institute, the Partners of Veterans Association, and Mates4Mates. There was unanimous in-principle support for a Defence Force covenant, although the RSL did reserve its position. The consensus agreed upon was that any covenant should be a statement of principle rather than a statement of benefits, acknowledge the sacrifice of those who serve and have served in the Australian Defence Force in peace and war, and outline the obligations that the Australian government and the Australian nation have to this unique group of citizens and their families. The National President of the Defence Force Welfare Association, David Jamison, said today:

The time for adopting an Australian Military Covenant has now arrived. It flows from an understanding of the unique nature of military service, a concept now widely accepted in the wider community and universally by all sides of politics.

Shortly after last year’s meeting I wrote to all senators and members, regardless of political persuasion, outlining the views expressed and seeking their support. I thank the Prime Minister and all those who responded—including you, Mr Acting Deputy President, in terms of your support—note the ongoing work being done on this initiative to support our Defence Force personnel and their families.

In March this year, I met with Defence Minister Andrews to discuss the proposal. It was a constructive meeting and I thank the minister for the good work he is doing. The minister has since advised that the government is disinclined to adopt a formal covenant at this stage. I disagree and intend to continue to push the covenant as I believe it is in the best interest of this country. The concern that some have raised has been about the financial implications of a covenant. By way of comparison, the United Kingdom Armed Forces Covenant recognises that the UK government and nation have an obligation to the armed forces community and establishes how they should expect to be treated. It does this through a differentiated approach based on personal circumstances. The UK covenant provides for support to families and reservists, personnel and veterans, and injured personnel and veterans which ranges from recognition and gratitude through positive measures to prevent disadvantage to financial support and special treatment.

The preliminary consensus expressed at the meeting I held last year was that an Australian covenant should first and foremost be about respect and acknowledgment. Given this, and the higher standard of the Australian system compared to that in the UK, there is no need for any covenant to become a document of financial benefits. There is some local precedent in this space. The Australian Defence Force Family Covenant was first launched in May 2009 and re-signed in May this year by the Chief of Defence Force, Air Chief Marshal Mark Binskin AC. It articulates to families how highly their contributions are valued by Defence and it also outlines mutual expectations.

This is a start, a good base from which to continue to work towards an Australian Defence Force covenant, but I think we can do more. As such, today I am launching a petition at
www.defencecovenant.com to engage with the broader Australian community on this issue. Please visit and sign this petition so that we can build support for the Australian Defence Force covenant.

Defence Force personnel and their families make and have made a unique contribution to the nation, a contribution that needs formal support and recognition by Australia's parliament. The men and women of Australia's Defence Force make a contribution like no other, defending our freedoms and liberties at home and abroad so we can all sleep safely in our beds. Whether it is leading a multinational humanitarian task force in East Timor, fighting militant jihadists in Afghanistan, being part of other operations in the Middle East region or responding to disasters like the Black Saturday bushfires, the Australian Defence Force serves our nation valiantly.

The idea of an Australian Defence Force covenant is essentially based upon the notion that the entire country has a moral obligation to the men and women who serve and have served in our armed forces, and to their families. I will continue to work with stakeholders and the government to support the hard work and sacrifice of our Defence Force personnel and their families.

I would like to place on the record my appreciation to Graeme Mickelberg, from the Sunshine Coast; Colonel David Jamison and Alf Jaugietis from the Defence Force Welfare Association; and the many others who have helped bring this petition to fruition. I acknowledge Alf, as well as Les Bienkiewicz—who are in the gallery today.

I remain committed to working with ex-service organisations, who represent hundreds of thousands of Australians, to secure formal recognition of the unique nature of military service. Please sign the petition at defencecovenant.com and send the link on to your friends and families.

Workplace Relations

Senator KETTER (Queensland) (12:54): I am proud to have been elected secretary of Labor's Fair Work Taskforce. This is a group of Labor senators and members of the federal parliament who are very concerned about the government's attempts to rewrite our industrial relations system, including its recent reference of the architecture of our workplace relations system, the Fair Work Act, to the Productivity Commission. The Productivity Commission has issued a draft report, and a couple of the key features of that report are recommendations to cut penalty rates and to introduce a new form of individual contract referred to as the enterprise contract. The Fair Work Taskforce, of which, as I said, I am secretary, have the job of responding to that, and we are concerned about the fact that this government seems to have an ideological fixation about our industrial relations system, irrespective of the human cost associated with the changes it is proposing to introduce.

The Fair Work Taskforce was launched in June and has already conducted hearings in Tasmania and in Victoria. Last week, it was my home state of Queensland's turn to host the Fair Work Taskforce. We visited Brisbane, where we spoke to a number of workers and their representatives and other interested parties. In addition, we took the opportunity to visit Townsville and Rockhampton to hear directly from workers in those areas. Labor established the Fair Work Taskforce because we believe that everyone, not just a select few, should have
a say about the impact of the government's policies on jobs, families and communities, as well as on important workplace entitlements such as penalty rates and the minimum wage.

In the course of my contribution this afternoon I also want to touch on concerns I have about the treatment of 306 workers at BHP Billiton Mitsubishi Alliance's at their Blackwater mine in central Queensland—in particular, their decision to outsource the work of those 306 workers.

I note that this week has been a week of milestones. For instance, on Monday we marked the second anniversary of the election of the coalition government. Yesterday was Labor Day in America and, being a former union secretary myself and having been involved in fighting for the rights of workers young and old, I can relate to what American Senator Elizabeth Warren said:

Unions were on the front lines in the fights for the minimum wage, for social security, for Medicare and for the Voting Rights Act … Corporations and billionaires already had a powerful voice in this country. Unions made sure working people had a strong voice, too.

Sometimes unions are the only voice for working people and working families. As secretary of Labor's Fair Work Taskforce I can say that, under this government, workers know that they cannot take even their basic rights for granted.

What is increasingly common to hear from the workers the task force have spoken to is that, if they lose their penalty rates, their kids' sport and the birthday presents will have to go. It is important to remember that Sunday penalty rates are the reason why a lot of low-paid workers can make ends meet. These workers rely on penalty rates to compensate them for missing crucial family time. Cutting penalty rates has broader implications; it has big impacts on the local economy as a whole. We heard from worker after worker that, if their penalty rates go, they worry about being able to pay for the basics, like a mortgage or electricity. These are workers who are on or just above the minimum wage, or on the award wage. They are not spending their hard-earned cash on luxury items. The decisions that they face and the battles that they are fighting are not based on the vintage of the wine they can crack open that night or whether the brie is soft enough. It is about rent, it is about food on the table and it is about whether they can afford their kid's school excursion. As I said, they say there will not be enough money for kids sport or birthday presents if this callous government has its way.

We know that we should not be surprised by this, because this is a government that condones the sacking of workers by text message. We know that this is a government that has abolished the Commonwealth Cleaning Services Guidelines, which has led to substantial wage cuts for the cleaners who clean our offices here. As I mentioned, Monday was the second anniversary of the last election and a day when the Australian people went to the ballot box, faced with a disingenuous promise from the Prime Minister that he would protect workers' pay and conditions. We have seen that that is far from the truth.

The Productivity Commission Inquiry into Australia's workplace relations system, which was ordered by this government, focuses specifically on Australian workers' penalty rates. The Productivity Commission draft report is the ammunition Tony Abbott, the Prime Minister, needs for work choices 2.0. The commission's interim report has proposed a two-tiered penalty rate system, which would cut the penalty rates of every worker in the hospitality, retail and entertainment sectors of our economy by up to 37 per cent on Sundays. The question has to be asked: why does this government think that workers in the hospitality sector should bear the burden of this government's bad decisions?
and retail industries don’t deserve penalty rates? These are industries which are the lowest paid in our country and these are the industries that the Productivity Commission has singled out for a pay cut.

The Fair Work Taskforce has been out there talking to workers and their representatives. I must say that I have been in awe after hearing some of the stories of people who are out there trying to raise a family on very low rates of pay. Yet, these are the people who are in the firing line to have their weekly income affected by changes to legislation. I was particularly struck by a young father in Rockhampton, James from Big W, who said:

Normal people can’t afford life without penalty rates.

We also heard from Robyn, a grandmother and an employee of Woolworths in Rockhampton, who said:

I like to spoil my grandchildren and give them things their parents can’t afford—those things would have to go if penalty rates were cut.

In Brisbane, we heard from Rebecca, a mother, who is working in a Coles store, who said:

If I lose my penalty rates I lose the ability to pay for my daughter’s ballet.

The Fair Work Taskforce also heard a number of different submissions from various unions. I want to mention the Australasian Meat Industry Employees’ Union, who talked about the presence of labour hire companies in the meat industry and how they threaten the conditions and entitlements of workers in the industry.

I also want to touch on the concern I have about the treatment of a number of workers at the Blackwater mine. I am very concerned that under the Abbott government we are seeing a casualisation of this industry. It was announced, without any consultation taking place between the relevant union and the company, that jobs will be outsourced. It was announced by the company prior to consultations occurring. I have had the opportunity to talk to a worker from the Blackwater mine. This person is an everyday worker, with a family. He told me that there is real concern in the local community about the flow-on implications from outsourcing the work to a labour hire company. It will have an effect on local schools and businesses in the community. He talked about the fact that the community might lose its fire brigade, because the volunteers there are workers from that mine and their futures are very uncertain. I am concerned about this. I believe that this company is not doing the right thing. I am also concerned about the implications for the local community in Blackwater.

In conclusion, on the issue of industrial relations: this is a government that will take our country down the low-wage road, whereas Labor wants to look to the future.

Threatened Species Day

National Bilby Day

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (13:04): I rise to mark Threatened Species Day, which fell on Monday this week, 7 September. I also rise to mark National Bilby Day, which is this forthcoming Sunday, 13 September. Threatened Species Day on 7 September each year is the anniversary of the day that the last Tasmanian tiger went extinct in 1936, in a Hobart zoo. The Thylacine is an emblem of our times. It is a symbol of the way that we have failed our native wildlife and of how we have continued to fail them ever since.
Threatened Species Day provides a time to reflect and, as a parliament, to draw inspiration from some of the good work being done in our community to save our native wildlife. We must also reflect on what more needs to be done by our governments. The fact is that Australia and the world are in a biodiversity crisis. Globally, we are living through what scientists are calling the Holocene extinction. It is the sixth greatest extinction event since life began on earth, and it is the first and only time that a mass extinction has been caused by just one species—humanity.

According to a recent study, the current extinction rate could be more than 100 times higher than normal. Also according to that study, as many as three-quarters of animal species could be extinct within several human lifetimes. This is a National Geographic study, and it is incredibly alarming. In Australia, we have one of the world's worst extinction rates for our native mammals. Since European settlement, we have lost 29 species of native mammals. That is, of course, vastly disproportionate: those 29 species represent a third of all global mammalian extinctions in the last 600 years. On top of that, among what is left, 20 per cent of our remaining mammal species are threatened with extinction.

We know that global warming is the most serious threat to our Australian native wildlife, along with habitat loss and invasive species. Change is happening too quickly for plants and animals to adapt, especially where they live in isolated populations. More droughts, bushfires and extreme weather can devastate habitat, and changing temperatures can disrupt breeding, food supply and shelter. A paper in Science earlier this year warned that we are on track to lose one in six of all species on earth by 2100. Australia is more vulnerable to species loss from global warming, because many of our species are found nowhere else on earth. They exist in very specific ecosystems, and they have nowhere else to go when those ecosystems change. For example, the rainforests in Queensland's Wet Tropics are globally important, with many unique plants and animals.

A paper published by James Cook University in Townsville shows that, if we do not cut pollution quickly, global warming will make one-third of all rainforest mammals, birds, reptiles and frogs in the wet tropics either critically endangered or extinct by 2085. Among the species which are found nowhere else but the wet tropics an estimated 59 per cent are at high risk of extinction. We may well lose two-thirds of these irreplaceable animals.

Today I will cover just two of our precious native animals which provide some important lessons. Bilbies once occupied 70 per cent of Australia and now we can find them only in very small areas in the Northern Territory, Western Australia and Queensland. In Queensland, the fence built by Australians via their support for the Save the Bilby Fund at Currawinya National Park was breached by floods. Feral cats then got in and devastated the population of wild bilbies. This was devastating considering the hard work that had been put in by many organisations supporting the Save the Bilby Fund by breeding bilbies and releasing them into this important site with the collaboration of the Queensland government.

In September last year, an IUCN national bilby summit was held, driven by the Dreamworld Wildlife Foundation and the Save the Bilby Fund. Fifty-two scientists, non-government organisations, Indigenous representatives, and state and federal governments signed on to the action plan produced by that summit. I understand that will be published very soon. This document is visionary and requires support to make sure this iconic marsupial does not go extinct on our watch.
The Lumholtz tree-kangaroo is another quirky iconic Australian animal. Worryingly, it is on the decline with an undiagnosed blindness occurring in this unique marsupial on the Atherton Tablelands. Through the work of Al Mucci at the Dreamworld Wildlife Foundation and with the support of carers and the Tree Roo Rescue and Conservation Centre this issue is being followed. I have written to the Queensland environment minister asking for an investigation into the cause of this blindness and what can be done to prevent it spreading any further. Let's not allow another iconic Australian animal to head down the track of the Tasmanian devil facial tumour disease. We have to get in early and prevent this loss now.

These are serious issues, but it is becoming increasingly clear that the federal government is failing our threatened wildlife. The Abbott government is leaving our threatened species to fend for themselves by cutting staff and funding in the environment department and watering down our national environmental laws on behalf of big developers and big polluters. Despite the government announcing a flurry of action plans and strategies, the hard facts show that this government has actually cut funding to threatened species protection.

Our environmental guardians, the Department of the Environment, have suffered huge cuts since 2007. That spans several administrations. The Abbott government has made even deeper cuts. As a result of the budget cuts, the environment department will lose 26 per cent of its staff over a five-year period between 2013 and 2018. That is a total cut of 670 staff, with 430 as of today's date already having been cut already cut and another 340 still to be cut.

On top of that, the environment department has been subjected to year after year of indiscriminate efficiency dividends, which is code for staff cuts. Between 2007 and 2015, a total of over 30 per cent worth of efficiency dividends has been imposed. If future budgeted efficiency dividends in the next financial year out to 2018-19 are included, that number rises to over 35 per cent. The government has also abolished the $946 billion Biodiversity Fund, after it was sadly raided by Labor to the tune of $470 million in 2013. In the 2014 budget, the government also cut $480 million from the highly effective Landcare program.

At the same time, the government is rolling back environmental laws to suit its big mining company and big developer mates. In fact, they are debating that in the House right now. This government has never rejected a coalmine or a coal seam gas well. It is incapable of standing up against its big mining company mates. This government has approved dozens of highly damaging projects. The most recent example, of course, is the Adani Carmichael megacoalmine, which we know will push the black-throated finch close to total extinction.

That is not to mention the huge climate and water impacts that would be felt from that proposal. The main population of the black-throated finch would be devastated by the destruction of underground water supplies if the expert evidence to the Land Court of Queensland is correct. The environment minister is spending less money, allocating fewer staff, approving more damaging projects, weakening environmental laws, attempting to hand powers back to irresponsible state governments and expecting things to get better. You cannot fix our biodiversity crisis by going backwards.

We know that action on global warming and stopping big polluters is the key to stopping species loss from climate change. We know that extra funding, mapping and protecting critical habitats, better biosecurity laws and stronger and better enforced environmental laws are the keys to success, but this government is going in the opposite direction, slashing the environment department's staff by 26 per cent out to 2017-18.
The Greens have a plan to save our threatened species which would identify and protect important habitat and increase funding for threatened species management and research. We went to the last election with a three-year $120 million plan which would include $30 million per annum to fund comprehensive studies to identify and map important national habitat and protect that habitat through bioregional plans that would establish clear no-go zones across the nation. They would be developed in consultation with state and local governments and rolled out progressively, with priority given to high-biodiversity-loss areas. $10 million each year would support the rapid listing of species and ecological communities which belong on the threatened list that have not yet been processed and the implementation of those recovery plans and threat abatement plans which have been prepared so successfully but are sitting on the shelf gathering dust.

Australians love their iconic animals and they want them protected. This Threatened Species Day let's mark a turning point in our biodiversity conservation and stop the trajectory of mass animal and plant extinctions.

**Cummings, Mr James Bartholomew, OAM**

_Senator BACK_ (Western Australia) (13:14): On a day when we honour Her Majesty Queen Elizabeth II as the longest reigning monarch on the British throne, I want to honour a king—that is, the 'Cups King', James Bartholomew Cummings, who died last week. I wish to thank Senator Lazarus for allowing me to join him in the formal motion that he moved yesterday to recognise the life of Bart Cummings.

As a veterinarian in racehorse thoroughbred practice in Melbourne in the early 1970s I knew Bart, and subsequently as the Western Australian Turf Club veterinarian when he raided the Perth summer carnivals each year. He was an absolute legend of the turf. I wish to reflect a little on his record as a trainer, his attitude to the industry and to the community generally and his sense of humour. I also want to reflect from a professional point of view on why I think he was such a great racehorse trainer.

I guess his first major taste of racing came in 1950—the year that I was born—when Comic Court, bred and trained by his father, Jim Cummings, won the Melbourne Cup. Bart was strapping the horse. Interestingly, the horse that ran second to Comic Court was called Chiquita, and anyone interested in races at Flemington would know that there is a lodge called Chiquita Lodge. It is often referred to by race callers as horses pass it.

In 1965 he won the first of his 12 Melbourne Cups with Light Fingers, ridden by 'The Professor', Roy Higgins. It is interesting to reflect that the Melbourne Cup purse for that first of Bart's wins in 1965 was $41,300, and by the time he won his last Cup with Viewed in 2008 the purse was $3.3 million. When you reflect on the fact that the trainer gets 10 per cent of the winning purse, it gives you an idea of how the prize money in racing has increased.

Bart joined with Roy Higgins, again, two years later, in 1967, when he won on Red Handed. Roy jumped off the horse, and it is reputed that he said to Bart, 'If you hadn't put me on board, and if I hadn't ridden it the way I did, you wouldn't have won the cups.' Bart said to him, 'If I hadn't put you on the horses and I hadn't trained them as well as I did, you wouldn't have won the cups.' The second of those wins, in 1966, was Galilee. That was the first of Bart's cups doubles, when he won the Caulfield Cup with Galilee and then the Melbourne Cup a couple of weeks later, ridden by our own Western Australian jockey John Miller.
He should have won 13. In 1969 the great horse Big Philou had won the Caulfield Cup easily and had won the LKS MacKinnon Stakes, beating the subsequent winner, Rain Lover. Regrettably, crime was very much a part of the industry at that time, and a strapper had been paid to noble Big Philou. He was given the purgative Danthron and only about 30 minutes before the race the horse was scratched. Rain Lover went on to win that year and the next year. As an aside, as a veterinarian some time later, I had occasion to be the attendant veterinarian to Big Philou, and the event of that purgative to him had an absolutely disastrous effect on that horse's wellbeing, and he never returned to the greatness that he should have exhibited.

In 1974 and 1975 Bart won the Cup with Think Big. I have to relate the story that, in 1974, he also had the favourite, Leilani. My mother was visiting us in Melbourne and I had occasion to be at Flemington on the last fast track work morning before the Cup with my employer, Dr Bill Burns, as well as Dr John Bourke and Bart. John Bourke made the point to my mother, 'Mrs Back, these are two of Bart's horses coming around and one of them is favourite to win the Cup.' Mum very politely turned to Bart and said, 'That horse is working very, very well, Mr Cummings, the one on the outside.' Bart said, 'No, Mrs Back, that's a horse called Think Big.' I think his words were something like, 'If he started now, he couldn't win. We think Leilani will win.'

On Cup day I was there with my mother and she said, 'I want you to put some money on that horse of Mr Cummings.' I said, 'No, Mum. The favourite is Leilani.' She said, 'No, the other horse, Think Big.' I said, 'You heard the trainer. He said if it started last Friday it couldn't win.' History, of course, records that it did win, and the only time it raced again in the next 12 months it won the Cup the next year. At track work two or three days after the Cup I remember running into Cummings, and he said to me, 'Is your mother around, by any chance, Chris? I might need her advice.'

In 1991 Bart again won the double with a horse called Let's Elope. My recollection is that he actually trained and owned Let's Elope. He won another interesting double with Saintly in 1996—the Cox Plate, which is the major sprint race at Moonee Valley, and a week and a half later the Melbourne Cup. He took the horse to Japan but, whilst it was a red hot favourite to win the prestigious Japan Cup, unfortunately the horse fell ill and had to be brought back to Australia.

I mentioned Viewed in 2008, because those of us who listen to Australia All Over on Sunday morning, with Ian McNamara, would know that Macca always phoned Bart on the Sunday of the Racing Mass, the Sunday two days before the Cup, after the VRC Derby, and had a chat with him. Macca would say to him, 'What have you got running, Bart?' That year Viewed was the bottom weight horse. I remember him making a comment along the lines of, 'Two miles is a long way, and if you aren't carrying much weight you will probably do fairly well.' Of course that was the last of his Cup wins.

He won five Cox Plates, including two in 2009 and 2010 with a magnificent horse called So You Think. He won over 7,000 races in his career of which 760, more than 10 per cent, are what are known as 'stakes races'—in other words, a higher quality of race.

I want to reflect briefly on his sense of humour. When he was a young trainer in Adelaide, his neighbours were complaining about the number of flies in the stable. The health department came around to tell him he had too many flies. Bart's response was, 'How many
am I allowed to have?’ On one occasion an outstanding jockey called Darren Beadman went to Bart. Darren had found religion, and he said to Bart, 'I've spoken to God and God wants me to give up riding and join the ministry.' Bart's response was, 'You ought to get a second opinion.' I also remember that in the early seventies it was reputed that an owner came up to Bart and said, 'How much will you charge me to train my horse, Mr Cummings?' Bart said, 'I'll charge you $500 a week if I train it and $1,000 a week if you want to help me.'

Of course the humour was not lost on his family either. His son, Anthony, who is also a respected trainer in Melbourne, when asked on one occasion said, 'Bart taught me everything I know about training. The unfortunate thing is that he hasn't taught me everything that he knows about it.' It is a wonderful industry, full of people with great senses of humour.

In that same vein, I did the veterinary work for George Hanlon, who won Melbourne cups with Piping Lane, the Tasmanian horse, and with Arwon, 'Arwon' being the word 'Nowra' spelt backwards. The horse was owned by a group in Nowra. George was asked by a young journalist, 'How important is breeding, Mr Hanlon, to a Melbourne Cup winner?' And George said to him, 'Son, it is absolutely critical. If the horse is not bred to win, there is no way you can get two miles and win a Melbourne Cup.' The journalist said, 'Well, what is Arwon's breeding, Mr Hanlon?' He said, 'I wouldn't have a clue, Son.' It was a great industry to be in.

In the last few moments available to me, I want to reflect on why the likes of Bart Cummings, Tommy Smith and Colin Hayes were such great trainers. It is really to do with their capacity to pick a horse that is capable and that can gallop; but more than anything else over and above other trainers, in my observation, was their ability to keep horses eating. They put great emphasis on the fact that if you could not get enough feed into a horse you could not put enough work into a horse and therefore you could not get a horse fit enough. The other comment I would make about those great trainers is that lesser trainers go into a race with their horse being 90 per cent fit, hoping like hell that it will have an extra 10 per cent. I think the likes of Bart Cummings probably trained their horses to 110 per cent, hoping that all they were going to need was the 100.

Bart was widely honoured. He was a member of the Order of Australia. He was in the Sport Australia Hall of Fame as one of the inaugural inductees. He won a Centennial Medal. He was an absolute ambassador for our sport and for the industry. It remains only for me to extend my sympathy, and that of colleagues interested, to his wife Valmae, to Anthony and to their family on the memory of a great man.

Syria

Arts

Senator SINGH (Tasmania) (13:24): I rise to speak about the attack by Minister Brandis on arts funding in this country. Before turning to arts funding issues, I do need to comment briefly on the fast-moving humanitarian crisis facing the Middle East.

This is the worst refugee crisis since World War II, with more than four million Syrians now having fled their country. It demands an urgent and compassionate response, and Australia is better placed than many other countries to make a strong humanitarian contribution. The common feature of a human crisis on this overwhelming scale is that it tends to highlight both the best and the worst of human nature. We have seen the very best of human nature through the immense outpouring of compassion around Australia and the
world, with millions of people yearning to support and resettle people suffering so deeply overseas. But sadly in the last 24 hours this crisis has also started flushing out the very worst and darkest of human nature in the form of prejudice, bigotry, discrimination and hatred.

A human life is a human life regardless of race, gender or religion. If a human being is suffering and desperately needs our help, their race or religion should be irrelevant. Yet in the last 24 hours we have seen a push in some sections of the Liberal and National parties to discriminate between different refugees and to value one human life over another based on a person's religion. While I do not particularly want to draw attention to the hateful and disgusting comments of the National Party member for Dawson, George Christensen, on social media this morning, I do feel the need to place on record my deep contempt and sadness upon reading them. Millions of people are dying, suffering and fleeing for their lives. To attack those people based on their religion or to seek to poison Australian hearts and minds against those refugees by painting them as potential job stealers or welfare leeches is both despicable and beyond comprehension. We should naturally prioritise those refugees the UNHCR considers to be most at risk and most in need. Many of those people may be Christian; others may be Muslim; others may have no religion at all. It makes no difference. So I implore the Abbott government, in increasing Australia's overall refugee intake, to do so in a way that is fair and that demonstrates universal human compassion over prejudice and discrimination.

I wish to use the remainder of my time to highlight community concerns about arts funding in Australia, particularly in my home state of Tasmania. I expected the recent arts inquiry hearing in Hobart to be compelling, but I did not expect it to become quite as emotional and poignant as it was. All day long, passionate and hardworking artists and administrators expressed their heartfelt fear, anger, despair and uncertainty about their industry's future. Twenty-five witnesses appeared at the Hobart hearing. Their skills and stories were immensely varied, but their message to arts minister Senator George Brandis was completely united: immediately restore the $105 million you have ripped from the Australia Council to set up your own personal arts slush fund. For almost 50 years the Australia Council for the Arts has independently assessed projects and allocated federal arts funding. Those decisions are made by artistic experts at arm's length from government. While its limited budget has left many projects unfunded and some artists disappointed, the Australia Council is almost universally respected as an independent umpire of competence and integrity. None of that seemed to matter to the Liberal arts minister Senator George Brandis.

Senator Brandis used this year's federal budget to rip $105 million from the Australia Council, and that is 13 per cent of the council's annual budget. The sum of $28 million was cut the year before, putting the industry under immense pressure. Senator Brandis has then diverted that funding to set up his own separate funding body, the National Program for Excellence in the Arts, in which funding decisions will be made by the arts ministry and ultimately approved by him. That leaves far less Australia Council funding to be shared amongst groups and artists, which they rely on, creating massive uncertainty. It is bad enough that Senator Brandis is cutting the independent funding body to establish his own slush fund and hand-pick his own favourites. It is Liberal Party culture wars in the extreme. But there is a catch that makes Senator Brandis's vandalism of the system even worse. In fact, there are several nasty catches.
Firstly, small-to-medium arts operators, along with individual artists, appear to be excluded from applying for grants under Senator Brandis's NPEA program. Secondly, virtually every Tasmanian arts organisation is a small or medium operator, meaning the impact on our dynamic but financially fragile arts sector will be particularly destructive and felt the most. Thirdly, the NPEA's guidelines indicate that, unlike the Australia Council, some successful funding applicants chosen by the minister will not be publically announced. At worst, that opens the door for politically motivated funding decisions to slip through with little or no public scrutiny or accountability. At best, it creates a perception issue for Minister Brandis and the larger groups he chooses to fund. Where is the transparency and accountability in using taxpayers' money and then not even publically announcing where you are funding those projects?

There are 148 small-to-medium Australian arts companies and 28 major organisations currently funded by the Australia Council. Between 2010 and 2012 those small-to-medium companies produced 2,897 new Australian works, or 88 per cent of the body of work, while the majors produced 299 new works, which is 12 per cent of the overall body of work. Therefore, any attack on the viability of the small-to-medium sector is a fundamental attack on the engine room of Australian culture, creativity and innovation.

An example is Kickstart Arts, an arts company in my home state, which has touched the lives of tens of thousands of Tasmanians in recent years. At the Hobart inquiry, Jami Bladel spoke passionately about how its new mentoring program for 20 young artists as well as its Teaching Artist in Residence program engage more than 1,000 young people each year. These career pathways and social benefits now hang in the balance. Above all, the inquiry has shown this is not just about artistic production and appreciation. Crushing small-to-medium arts groups means crushing Tasmanian jobs. It means crushing the community programs that help educate and inspire our kids and crushing effective grassroots efforts to improve mental health, boost confidence, improve literacy and social skills and divert young people away from drug abuse and crime.

However, Minister Brandis also has a rare opportunity here. Given that he has diverted Australia Council funding into his own slush fund, he has a rare chance to reverse a policy mistake while having little impact on the overall federal budget bottom line. He has the chance to show tens of thousands of artists, aspiring artists, arts workers and arts lovers that he genuinely understands and appreciates their unique contribution to our national life.

This is about us as a nation. It is about our national identity. It is about jobs. It is about wellbeing. It is about a lot more than one minister creating a slush fund to pick his favourites. This is about continuing to ensure we have an arts sector in this country—a creative industry in this country. That can only happen if we have a well-funded Australia Council for the Arts, not one that has $105 million ripped out of it so that a minister for the arts of the day can set up his own slush fund. Minister Brandis should listen, learn, change his mind and restore funding to the Australia Council for the Arts.

Parliamentary Behaviour

Senator MUIR (Victoria) (13:34): Today I rise to talk about the toxic nature of party politics in the parliament. Madam Acting Deputy President O'Neill, I have the utmost respect for you and your colleagues, so I suggest you block your ears for a little bit!
The recent, unnecessary, Senate distraction in relation to the trade union royal commission is the most recent example of this toxic political environment. The political stunt served to not only delay and distract from the role of the Senate to review the legislative agenda of the government; it had the effect of wasting the resources of my office and the offices of other senators who constantly had to drop their work to discuss the issues around this motion. This is time that could have been better spent investigating the issues in relation to the legislative agenda of the government—something that we are paid to influence. We are not paid to influence the outcome of a royal commission or legal proceedings. Had this motion from the opposition passed, it would have had no effect on the royal commission. The Governor General would have been under no obligation to act on the message from the opposition. Legal representation for the unions have decided not to have the apprehended bias finding challenged in the courts at this stage and that suggests to me that they either accept the ruling or they are worried that the court will also dismiss their application. I am a strong believer in the separation of powers, and this motion sought to interfere in legal matters.

This stunt was a new low in partisan politics, where opposition for opposition's sake and disrupting the routine of business and proceedings appear to be the norm. The people who we represent are sick of this poor level of leadership. Leadership is more than zingers or three-word slogans. Leadership is about setting an example that inspires others to follow, rather than simply selecting the lesser of two evils every three years. I call upon the opposition to start to show real leadership and start to inspire people based on their ability to be a real alternative government and to focus less on political stunts and disruption.

To demonstrate that I am a true crossbench senator and willing to criticise both of the major parties, I would like to point out that the government are not without fault in this matter. On some matters, the government have an attitude of: it is their way or the highway. When things do not go the government's way, they are quick to blame someone or something else. The people want solutions, not excuses. The government need to realise that senators such as myself are more interested in finding common ground and solutions to problems.

I respect the fact that the people chose a particular flavour of government for this parliament, and I am ready and willing to assist them with the moderate and sensible aspects of their legislative agenda. You will, however, find that I will reject the more extreme elements of their legislative agenda, in line with my Senate commitments. The government, however, needs to remember how to communicate, not only with senators who are willing to work with them but also with the general public. I again remind the government that good ideas well-presented will get my support. Bad ideas or ideas that are likely to hurt those who are disadvantaged will not. Most importantly, good ideas that are poorly presented are also unlikely to be supported. It is not my role as a cross-bench senator to sell the government's policy to the public.

The government should be selling the merits of their legislative agenda in language that inspires the Australian people to follow, and spend less time combating the opposition. Likewise the opposition should start to focus on selling their alternative policy position to the Australian people, pointing out the merits of their approach versus the government's agenda. There is not a lot of point, however, for a future government of a different political persuasion undoing negotiated legislation based on ideology. A good example of this is the recent registered organisations legislation. Under the last set of changes to the act, made under the...
last parliament, it took the Victorian Automobile Chamber of Commerce well over 12 months of work to update its constitution and rules to meet the new requirements. They simply did not have the internal volunteer resources to meet these new obligations on their own. They did receive helpful assistance from the Fair Work Commission's Regulatory Compliance Branch, but due to the time constraints involved significant costs were incurred by the VACC in order to meet the required time frames.

The most recent legislation would have required organisations such as the VACC to effectively undo a lot of the work recently completed to remain compliant under the most recent changes to the act. This all comes at significant administrative and financial cost for this volunteer organisation. The VACC were also concerned that volunteer-run organisations would struggle to attract people to fill office holder roles. This is due to the potential personal and business risk that serving in these unpaid, volunteer positions exposes them to under this legislation. The government needs to consider the costs to volunteer organisations that are caught up in the unintended consequences of this or any other legislative change.

There is more to leading a country than simply arguing the ideology of union versus employer. This is just one example: is the RET really safe from future meddling? Now the ALP is suggesting a much broader RET, and this is confusing industry and introducing investment risk—making it almost impossible for some projects to receive funding. There is no certainty or stability in constant fear and confusion about what will be repealed or heavily amended to suit ideology in the next three-year governing cycle. All governments should be especially mindful of that when they seek to change legislation so soon after recent changes were implemented, especially when these changes appear to be ideologically motivated. I am calling upon both parties to call a truce to this senseless back and forth and tit for tat on policies and issues. I am also calling on the elected representatives of this parliament to show inspirational leadership and seize upon the opportunities that are before us in the national interest of Australia. Thank you.

Senator Bilyk: Hurry up Senator Seselja, you are late.

Senator Seselja: I am not, I am early.

The ACTING DEPUTY PRESIDENT (Senator O'Neill): I will call Senator Bilyk.

Tasmania: Employment

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (13:40): I would like to address the very important issue of jobs in my home state of Tasmania and the lack of action by state and federal governments. Mr Abbott was in Hobart over the weekend, belatedly re-announcing the $16 million former Cadbury funding more than two years after it was promised. This follows the embarrassment of the Abbott government's only other new program for Tasmanian jobs, the so-called Tasmanian Jobs Program, which had only 144 out of a promised 2,000 participants. The Abbott government loves to pretend they are creating jobs in Tasmania as their ministers and the three amigos travel about the countryside re-announcing projects that were already committed to under Labor's jobs and growth plan. The fact is that Mr Abbott is only focussed on one job, and we all know whose that is—his own.

Given the lack of support provided by their federal counterparts you would think that the Tasmanian Liberal government would be doing everything in their power to create local jobs. But not so when it comes to securing local content in government contracts. There has been a
campaign to urge the Tasmanian government to mandate minimum levels of local labour and materials in its building contracts. It follows revelations that 130 foreign workers have been flown in to work on the refurbishment of TT-Line's Spirit of Tasmania ferries. Tasmania's Minister for Infrastructure, Rene Hidding, promised that the majority of the 156 workers employed on the refurbishment of Spirit of Tasmania I would be Australian.

It is not just the $30 million Spirit refurbishment that is sending Tasmanian money overseas. Materials and labour are also being sourced from mainland Australia for work on the $100 million Parliament Square development, such as plastering and glazing. With the next phase of the Royal Hobart Hospital development due to commence soon, will local contractors and their employees even get a look in? Tasmania has local contractors and workers with the necessary skills to complete these tasks but, instead of using these projects to help boost the local economy, the Tasmanian government is sending its money interstate and overseas. Given the costs of flying workers into Tasmania, I simply cannot understand how these bids can be price competitive while still providing basic award entitlements such as living away from home allowance.

Given the Tasmanian Liberals' record on local procurement, it makes me wonder how they are applying their local benefits test for government contracts. Ironically, the Tasmanian government are running a $100,000 Think Local First campaign, urging Tasmanians to buy local products and services and support the state's 38,000 small businesses. I am all for supporting local businesses in my home state—I have two brothers in small businesses and my parents ran small businesses for many years so I am very aware of how small business works and I am all for supporting it—but it really undermines the effectiveness of the campaign when the Tasmanian government will not even practise what it preaches. For the past month, the union movement have been calling on the Premier, Will Hodgman, to meet with them to discuss the issue, but so far their calls have fallen on deaf ears. The message to the Tasmanian government was reaffirmed by a rally held outside the Tasmanian parliament on 14 August which was attended by 500 people.

Mandated levels of local labour and materials in state government procurement are not difficult to achieve, yet the Tasmanian government will not even try. Let's just compare that with the Northern Territory. The Northern Territory government recently entered into a contract with Lendlease for the $150 million Palmerston Hospital development. The contract stipulated that 90 per cent of labour and materials had to be sourced from the Northern Territory. If the Northern Territory can mandate local content for such a major development, surely, so can Tasmania.

If the Tasmanian government seriously think that we do not have local skills to deliver on major projects then they should, at least, require that their contractors attempt to recruit locally or engage in labour market testing. Surely there are Tasmanian workers available for jobs such as plastering and glazing. And if there really is such a shortage of skilled Tasmanians to do this work then what is the government doing to train and skill workers to fill these positions, particularly when nearly 100,000 apprentice and trainee positions have been lost Australia wide, due to the Abbott government's training cuts?

This is not just about the hundreds of Tasmanian jobs these construction projects have the potential to create; it is about the thousands of Tasmanians relying on this money flowing
through the local economy. I am at a loss to understand why it has taken the Tasmanian government so long to agree to, at least, sit down with the unions and discuss the issue.

The Premier, Will Hodgman, or his infrastructure minister, Rene Hidding, should meet with them immediately to discuss how they can work together to deliver more jobs for Tasmanians. They not only owe it to the unions and their members but they owe it to all Tasmanians.

Australian Capital Territory

Senator SESELJA (Australian Capital Territory) (13:46): Madam Acting Deputy President, can I say that I was in a committee meeting and that is why I was coming a little bit later, although I was told that I was to be on at quarter to two, so I imagined that someone had finished early. I think there was a little bit of pettiness from Senator Bilyk, as I was about two foot away—

Senator Bilyk interjecting—

Senator SESELJA: Senator Bilyk has been in a bit of funny space today. Perhaps some usual courtesies could be applied in this place. We often apply courtesies to one another.

The ACTING DEPUTY PRESIDENT (Senator O'Neill): Senator Seselja, you have the call to make a senator's statement.

Senator SESELJA: Madam Acting Deputy President, I do and, in making a senator's statement, I am pretty sure I can speak about matters of anything, including courtesy from Senator Bilyk or a lack of.

Senator Bilyk interjecting—

Senator SESELJA: It is difficult—I cannot actually hear Senator Bilyk. If she could interject a little bit louder! She seems a little bit agitated. I am not quite sure what is causing that agitation. But I would like to put on record a couple of important community issues. For the past six months I have been working with Mr James Davidson and Mr Dave Mills of the RSL ACT branch to update the Victoria Cross Memorial Park on Glossop Street in Campbell, here in the ACT. The memorial currently lists the names of Australia's Victoria Cross recipients, up to the time of the Vietnam War, and soon the memorial's plaque will be updated to include details of the most recent recipients of our nation's highest medal for bravery.

After working with the Department of Veterans' Affairs and the RSL, funding for the update was approved under the new Saluting Their Service grant program. The government recently established this program to assist community groups to recognise and remember the efforts of Australian service personnel and I am very pleased to see its early success in the ACT. This plaque came from the community. The community came to me and said, 'We've got this Victoria Cross Memorial Park, but we've had some amazing individuals who have received the Victoria Cross in recent times and we think it is time we updated it to actually recognise that.' I think it is a great initiative from the local community, working here with the RSL.

Another important project that recently received a grant under the same program is a plaque commemorating World War I enlistees from the Belconnen region, organised by Mr Mac Weller, President of the Belconnen RSL Sub-Branch, and their members. Towns and cities all across Australia recognise the bravery and sacrifice of people from their local area in
World War I through a range of commemorative efforts, including plaques and memorials. The plaque's installation in Ellen Clark Park, in Weetangera, will give proper recognition to the sacrifices made by members of the local community who fought for their country and their region. Ellen Clark Park has been chosen as the location for the plaque because of its special significance as the site of the first Weetangera school, which was attended by 11 of the World War I enlistees.

It is because of the brave sacrifices made by our past and present defence personnel that we enjoy the freedoms and values that we have in Australia today. In the Centenary of Anzac it is great to see so many local projects going ahead that honour Australia's proud military history, and these commemorative efforts are a credit to local communities here in the ACT.

Can I say to all of the staff and students at Weetangera school who hosted it, because of poor weather, that it was a fantastic event. A number of the students who welcomed us were just such great representatives of Weetangera school. A young boy called Jack was one of the friendliest young students I have ever met and he gave all of us such a wonderful welcome. He and the other students who welcomed us are a real credit to Weetangera school.

I would also like to talk about an event we had at Pialligo Estate Farmhouse Restaurant. That brought together a number of representatives of local businesses, farmers in the region, small businesses from Canberra and our region, and tradesmen as well. The coalition government has been working to ensure that Australia is open for business and certainly we are looking to do that right around the country.

Pialligo Estate Farmhouse Restaurant hosted this breakfast, where we welcomed the Prime Minister; Bruce Billson, the small business minister; and my colleague from over the border Angus Taylor. And thank you to Rowan Brennan and John Russell from the farmhouse restaurant for hosting the event. It is an outstanding venue. It is winning tourism awards right around the country. I note that many Canberrans are enjoying the wonderful place it is.

We heard from some of those local businesses. We heard about how our small business asset write-off policy has made it much more affordable for businesses to upgrade and expand their operations, and how our efforts in securing free trade agreements have opened up new markets and opportunities for businesses like Bottles of Australia. We had Anton and Rosemary Pemmer there. They are a local business, doing great things in Canberra. We do not have a lot of manufacturing in Canberra, but their business is sending water bottles right around the world. It is fantastic.

We heard how scrapping the burden of the carbon tax has reduced the everyday operating costs of their businesses. We had other businesses, including printers, accountants, hairdressers, builders, electricians, farmers, electronic retail outlets and manufacturers, as I said. Certainly, cutting red tape and lowering tax pressures on small business means that businesses can grow, innovate and expand, and of course that creates jobs and boosts our economy.

I thank all of those small business owners and representatives who came along and shared their experiences. We also heard some of our people in the construction industry raising concerns about ongoing issues around standover tactics in the construction industry in the ACT, some of which is playing out at the royal commission. I have been really heartened by how many small, medium and large businesses in Canberra, or people associated with the
construction industry, have spoken out against that kind of behaviour. Certainly, we heard about more of it at the business meeting that we had.

Also last Friday I was joined by local sporting groups and many enthusiastic members of the public at Bowen Place, where I was pleased to officially open the new underpass for pedestrians and cyclists. The underpass is a significant safety improvement for the thousands of cyclists, runners and walkers who use the path every year. The popular scenic path around Lake Burley Griffin is a great asset to Canberra and with this upgrade you can now do the bridge-to-bridge lap of the lake without crossing any major roads.

It is a real boost to the amenity of the area, and we can expect to see more people getting out, exercising and enjoying the lake in safety. I would like to acknowledge the work of the National Capital Authority, architects and builders—in particular lahznimmo architects and Spackman Mossop and Michaels, as well as Woden Contractors—for managing the project and for delivering the upgrade under budget. I would also like to thank the National Gallery of Australia for the donation of the sculpture featured at the viewing platform overlooking the Carillon.

This is a great addition to the lake area. It is not only great in terms of the amenity it is also quite beautiful. I know that many people will be looking to take advantage of it. Many Canberrans and also many tourists will enjoy what is a really beautiful part of our national capital.

I was told this morning by my staff that Senator Gallagher raised the issue of the Bowen Place opening and some other openings, criticising me for cutting the ribbons when some of these things had been committed to by the former government. I am disappointed for Senator Gallagher that she did not cut the ribbon, but perhaps if she were to come along to these events in future I would be very pleased to have her as part of it. Hopefully, she can get over these little things. There are much bigger issues in politics to worry about other than who cuts the ribbon. I would just pass that on to Senator Gallagher: she is always welcome at these events, whether they have been committed to by our government or by the former government. Everyone is welcome. They should come along and enjoy what I think is a fantastic thing for Canberra.

I will just raise the issue of R U OK? Day briefly. It is tomorrow. R U OK? Day is a really important mental health and suicide prevention initiative. I was pleased to be at the front of Parliament House this morning for a launch with health minister, Sussan Ley, and Brendan Maher and many others from R U OK? and also Nicole Lawder and Megan Fitzharris from the ACT assembly.

R U OK? Day is a really important thing. It is about having that conversation and asking whether colleagues, friends or loved ones are doing okay and listening to the answer. These conversations actually do change lives; they save lives. I would just say to all Australians that tomorrow is R U OK? Day: look out for your colleagues, look out for your workmates and look out for your friends. Ask them how they are doing, listen to their answer and see if there are things you or other people can do to help. *(Time expired)*

**Students Against Racism**

Senator CAROL BROWN (Tasmania) (13:56): With the few minutes that I have left before question time I would like to talk to the Senate about two students who came up to
Parliament House in August. The Students Against Racism group from Tasmania were finalists in the innovation section of the Migration and Settlement Awards, which were announced on 18 August this year. Of course, Labor congratulates the winners and finalists of the Migration and Settlement Awards. The awards are hosted by the Migration Council of Australia. They recognise outstanding individuals and organisations that assist migrants to settle in Australia.

The Tasmanian Students Against Racism group were finalists. Unfortunately, they did not win but there were many fine entrants in the awards this year. The two young women that the Tasmanian senators had an opportunity to meet were Nane Manasseh and Shuang Shuang. They came along to talk to us about the work that the Students Against Racism group were doing.

The Students Against Racism group was established in 2008 to give voice to CALD students who had arrived in Hobart as refugees. The group, under the mentorship of teacher Gini Ennals, developed a powerful presentation that explains why people leave their homeland, the experience of being a refugee and the settlement issues young people have to deal with in Tasmania. The presentation has expanded to include a range of activities, and the group now delivers workshops of one hour to six hours to schools, tertiary education classes and community organisations.

The program that the Students Against Racism group has rolled out explores issues around racism. It uses storytelling and activities that challenge the audience to examine the causes and consequences of racism and how they can combat it. Over 80 young Tasmanians have been trained to deliver the workshops. That is 80 young Tasmanians that have been trained to deliver the workshops and tell their stories. Over the past eight years they have worked with groups across Tasmania and also on the mainland, in Victoria, and they have presented conferences in Sydney and Melbourne. They have developed a film, a play and a range of other presentations and workshops.

I would like to acknowledge and thank them, as would the other Tasmanian senators who met with these two wonderful young women, for the outstanding work that the SAR group do in Tasmania, and also congratulate SAR on the work they have done in rolling out their program across Tasmania. Thank you.

**STATEMENTS**

**Queen Elizabeth II**

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): by leave—When the Australian Constitution was established on 1 January 1901 it described the parliament as comprising three parts: the Queen, the Senate and the House of Representatives. The Queen referred to was, of course, Queen Victoria who was, until today, the longest reigning British monarch. The Queen we all know so well and admire is her great, great granddaughter, Her Majesty Queen Elizabeth II. Later today, London time, her Majesty will pass the historical record for the longest reign. I note that today stamps and coins are being issued to commemorate this occasion. Precisely when this longest reign commenced we cannot know because her father, King George VI, died in his sleep in the early hours of 6 February 1952. Princess Elizabeth, with her husband the Duke of Edinburgh, heard the sad
news on her way to Australia. It is characteristic that the very first act that the new Queen did after being advised of the death of her beloved father was to write letters of apology to Australia and New Zealand that their imminent visit would now have to be postponed. This sense of duty above self has been the hallmark of the Queen's reign, and in that she has been ably supported at every step by Prince Philip.

For the first decade of her life there was little prospect that her Majesty would be our sovereign. She had a happy childhood and was instilled early with the principles of duty, hard work and Christian faith which have guided her in all her conduct. She has been our monarch for all of the lives of most of us in this country. She has known and advised 12 Australian Prime Ministers from Sir Robert Menzies to the present day. The Queen and Prince Philip have visited Australia many times in her long reign and have always been received with enormous affection and respect. For 364 days in each year her Majesty has dutifully dealt with official papers from the British government and from the governments of Australia and 14 other countries. She only gives herself Christmas Day off. Today, without fuss, she will be undertaking a routine royal engagement in Scotland. Some years ago a study on the modern monarchy was titled *Dignified and Efficient*. These words encapsulate the approach the Queen and Prince Philip have applied to their responsibilities of the almost 63 years. A few days ago her grandson, Prince William, the Duke of Cambridge, wrote:

I think I speak for my generation when I say that the example and continuity provided by the Queen is not only very rare among leaders but a great source of pride and reassurance. Time and again, quietly and modestly, the Queen has shown us all that we can confidently embrace the future without compromising the things that are important.

Today we pay tribute to the Queen of Australia and we respectfully thank Her Majesty for her wonderful service. God save the Queen, the longest to reign over us.

**Senator Wong** (South Australia—Leader of the Opposition in the Senate) (14:04): by leave—I join Senator Abetz in acknowledging the long and meritorious service of the Queen. It is the first and almost certainly the last time the Australian Senate will mark such a milestone in relation to the monarch. Her Majesty Queen Elizabeth II is, of course, the Queen of Australia. In fact, that has only been her title since 1973, and that is obviously not the only thing that has changed during her reign. So too has Australia's relationship to the United Kingdom and the monarchy. What has not changed is the affection of the Australian people for the Queen. On behalf of the opposition I extend our appreciation for her service.

**STATEMENT BY THE PRESIDENT**

Parliamentary Behaviour

The President (14:04): Before we proceed to questions without notice I want to draw senators' attention to the behaviour so far this week that has been brought to my attention by members of the public and by others within this building. The behaviour, in particular, yesterday during question time was not acceptable. I particularly want to draw senators' attention to standing order 203(1)(e), which says that a Senator will be in infringement of the standing orders if they 'persistently and wilfully disregards the authority of the chair'. I am placing all senators, from all sides, on notice that standing order 203 exists. It is reluctantly used by the chair, but if behaviour continues as it was yesterday it will be a considered option.
MINISTERIAL ARRANGEMENTS

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:05): by leave—I advise the Senate that Senator Cormann will be absent from question time today and tomorrow as he is attending the APEC finance ministers' meeting in the Philippines. In his absence I will take questions on the Treasury and Finance portfolios.

QUESTIONS WITHOUT NOTICE

National Disability Insurance Scheme

Senator MOORE (Queensland) (14:06): My question is to the Assistant Minister for Social Services, Senator Fifield. I refer to advertisements that confirm that the government wants to replace NDIS board members who have experience with disability and the disability sector with board members who only have corporate and board experience. Why is the minister trying to reduce representation of board members who have such important experience with disability and the disability sector?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:06): A few facts are important to put before the chamber. The first is that the previous government did not follow best corporate governance practice when they appointed all of the directors of the NDIS board to have their terms expire on the same day, on 30 June 2016. That is not best corporate governance practice.

If I did nothing, we would not have a board for the NDIS from the middle of next year. Clearly, therefore, there is a process required to look at the issue of appointment and re-appointment of directors of the NDIS board. I can advise the chamber that on 17 April this year COAG first ministers agreed that the NDIS should have the best board possible and that there should be a process to look at the appointment or re-appointment of board members. I can confirm that on 24 April the Disability Reform Council, which I chair, discussed this and that on 7 July this year I wrote to my ministerial counterparts seeking their agreement to a proposed approach for the appointment of board positions and that by 29 July all jurisdictions had replied, saying that they agreed with the selection process.

What I want to see and what all jurisdictions want to see from the middle of next year is that we have a board which has continuity and that there are some existing board members who are re-appointed—continuity is important at this stage of the scheme's rollout, but we are also open to having new board members. The most important thing is to make sure that this board has the best skill set possible in combination to ensure that the NDIS is the very best that it can be. So there is absolutely nothing unusual or odd about seeking to ensure that we have the best board possible.

Senator MOORE (Queensland) (14:08): Mr President, I ask a supplementary question. Can the minister confirm that he commissioned liquidators KordaMentha to review NDIS board requirements? Why did you direct KordaMentha to 'not engage with any of the current board members or staff of the NDIA'?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:09): For the very good reason that KordaMentha were not engaged to review the performance of the existing board members. The purpose of KordaMentha was to provide advice to government as to what are relevant considerations for
looking at a venture of this scale when considering the appointment or re-appointment of board members. This is a vast exercise. This is a scheme, at full rollout, which will be $22 billion a year that will be supporting 460,000 Australians. This is a very complex exercise. We wanted to make sure that we had in the next iteration of the board people who had the right skill set in combination for the transition phase which will rollout from 18,000 participants today to 460,000 participants over three years. I make no apology for the steps that we have taken.

Senator MOORE (Queensland) (14:10): Mr President, I ask a further supplementary question. Will the minister guarantee that the uncertainty created by his attack on the NDIS board will not cause a delay to the full rollout of the scheme by 2019? Does the minister guarantee that this rollout of the scheme will be done by 2019.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:10): On this side of the chamber we have a remorseless focus on making sure that the NDIS is the best that it can be and that it is rolled out as quickly as possible. Suggestions from the other side that we are spilling the board are completely wrong.

Senator Wong: You just confirmed it.

Senator FIFIELD: All board positions expire in the middle of next year and if we did nothing—if we had no process—there would not be a board in the middle of next year. It is self-evident that you need a process to look at who will be the board members from the middle of next year, which is exactly what we are doing. As to the other part of your question, Senator Moore, we are continuing negotiations with the jurisdictions on full rollout. They are going well and those negotiations are taking place in the context of heads of agreement, which, as you know, specify the target date for full rollout of the scheme.

Asylum Seekers: Europe

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:11): My question is to the Attorney-General, Senator Brandis, representing the Minister for Foreign Affairs. Will the minister inform the Senate of the government's response to the European migration crisis and the movement of people fleeing the conflict in Syria and Iraq?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:11): Thank you very much indeed, Senator Fawcett. That is a very important question. Senator Fawcett, I can advise the Senate that the Prime Minister announced a short while ago that cabinet has decided that Australia will resettle an additional 12,000 refugees who have been displaced by the conflict in Syria and Iraq. Our focus will be on those most in need—women, children and families of persecuted minorities who have sought refuge from the conflict in Jordan, Lebanon and Turkey.

A team of government officials will depart for the region as soon as possible to begin identifying and processing potential candidates for resettlement. I should stress that these are permanent places. In addition to that, Australia will provide humanitarian support to more than 240,000 Syrian and Iraqi people who have been forced to flee their homes or seek refuge in neighbouring countries. That will cost approximately $44 million. With this additional
commitment, Australia's contribution to help redress the humanitarian crisis in Syria and Iraq will be around $230 million since 2011.

Today's announcement represents a significant contribution to the humanitarian crisis in the Middle East. It is, I believe, a decision of which all Australians can be very proud. It is a decision which is in the great Australian tradition of accepting genuine refugees and being generous to those in crisis. Just as a generation ago, the Fraser government accepted thousands of refugees from Vietnam and gave them a new life in Australia, this government has decided to accept 12,000 Syrians.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:13): Mr President, I ask a supplementary question. Will the minister advise the Senate how these measures complement Australia's existing efforts?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:14): Yes, I can, Senator Fawcett. The humanitarian assistance to Syria and Iraq is an aspect of the consequences of the rise of Daesh and Australia's determination to deal with all of the consequences of Daesh across a range of fronts. I have spoken about the humanitarian decision that we have made, which I hope all sides of this chamber will welcome, but there is a harder-edged military response as well, because we must defeat and degrade Daesh in Syria and Iraq. With the additional commitment, as I said before, Australia's humanitarian contribution in terms of financial assistance will have been $230 million. In terms of places, the 12,000 places are in addition to the existing 13,750 places under the existing humanitarian program.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:15): Mr President, I ask a further supplementary question. Will the minister advise the Senate how Australia's commitment compares with the humanitarian assistance being provided by other countries?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:15): Yes I can, Senator Fawcett. European nations, which in the last 48 hours have announced their responses to this crisis, are making substantial contributions as well. For example, the United Kingdom, with its population almost three times that of Australia, will be taking 20,000 people. France has announced that it will be taking 24,000 people, again, with a population almost three times the size of ours. Australia will be taking 12,000 people in addition to our existing humanitarian programs and every one of them will be a permanent settler. In the political fury of the debate about border protection and refugee policy, I think it is a great pity that there is one fact that is often overlooked or deliberately neglected and that is, when it comes to resettlement, Australia is, per capita, the most generous nation in the entire world.

DISTINGUISHED VISITORS

The PRESIDENT: Before I call on the next question, could I inform honourable senators that in the President's Gallery we have guests of the Australian Political Exchange Council's 19th Delegation from Vietnam. On behalf of all senators, we extend a warm welcome to you.

Honourable senators: Hear, hear!
QUESTIONS WITHOUT NOTICE

Economy

Senator O'NEILL (New South Wales) (14:16): My question is to the minister representing the Minister for Small Business, Senator Abetz. Does the Abbott government support the inclusion of an effects test in Australian competition law?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:16): As the honourable senator would know, this is a matter that has been provided to us as a proposal from the Harper review. The government is going through the Harper review and its proposals and giving consideration to the many suggestions therein. We are consulting widely and we will be in a position in due course to announce what our final decision is.

Having said that, I am reminded of Senator O'Neill's former leader, Mr Beazley, who quite some time ago acknowledged that the Labor Party never pretended to be a friend of small business. We on this side are and that is why we are looking—

The PRESIDENT: Pause the clock. Point of order, Senator O'Neill.

Senator O'Neill: The question was a very simple one, and the answer needs to go the effects test and the government's position with regard to an inclusion of an effects test in Australian competition law.

The PRESIDENT: The minister did address the question by saying it is under consideration.

Senator Wong interjecting—

The PRESIDENT: I am not going to enter into a debate about this. Senator Wong, on the point of order.

Senator Wong: Just because the minister references it once it does not then make a subsequent discussion about a former Labor leader directly relevant to the question.

Honourable senators interjecting—

The PRESIDENT: Order on both sides, on my right and on my left. As I have said on numerous occasions, as have many predecessors, once a minister has answered the question a minister can enhance their answer if they wish to enhance their answer.

Senator Wong interjecting—

The PRESIDENT: It has always been the case. Senator Wong, I have ruled on the point of order. Order on my right.

Senator Wong: Mr President, perhaps subsequent to question time it could be clarified with the chamber whether the scope of your ruling is that a minister can say anything she or he likes on any topic if they address the question in the first sentence, because if that is the ruling I would like some clarification. Thank you.

Government senators interjecting—

The PRESIDENT: Order on my right. Thank you, Senator Wong, I will take your comments into account and I will consider those comments. But, as a general principle, providing the minister does not stray too far from the original question, the enhancement has always been allowed. Minister, you have the call. You have one minute—
Senator ABETZ: I have finished my answer.

Senator O'NEILL (New South Wales) (14:19): Mr President, I ask a supplementary question. Do the comments by the small minister, I mean the small business minister—that was genuinely accidental.

Honourable senators interjecting—

The PRESIDENT: Order on both sides. Just a moment, Senator O'Neill. Firstly, we will take that as a genuine error and, secondly, start again with your question.

Senator O'NEILL: Thank you, Mr President. Do the comments by the small business minister that section 46 of the competition law 'is a dud, does not work, and is like a hunting dog that won't leave the porch' reflect government policy? If not, what is the government's policy?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:20): Mr President, I have already answered the honourable senator's question. We have been provided with a review by Professor Ian Harper. Part of that review canvasses—

Senator Wong interjecting—

Senator ABETZ: Professor Ian Harper, who undertook a review for and on behalf of the government, has put forward certain suggestions to us, including about section 46. We are working through those in a methodical and purposeful manner and will determine our approach in due course. Having said that, I do not think anybody would doubt that Mr Billson is a true champion of small business.

Senator O'NEILL (New South Wales) (14:21): I ask a further supplementary question. I refer to comments by Senator Matt Canavan, who said, 'To protect small businesses we need stronger competition laws, like an effects test.' Who speaks for the government on this—Senator Canavan or the small business minister or the Treasurer? Is Senator Canavan correct when he says there is 'strong support in the party room for an effects test'?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:22): Within the coalition, we actually allow debate. We actually allow people to have a view and, indeed, until such time as the government have determined a view, even cabinet ministers can express a view. As there is a debate within the community that is being expressed as to particular approaches to section 46, it is appropriate for my good friend Senator Canavan to also champion the cause of small business as he sees fit, as he believes is within the best interests
of his constituents in Queensland. The fact that there might be a diversity of ideas might come as a shock to all those who come out of trade union school and are told exactly what to say, how to say it and when to say it. We actually allow freedom of thought, we socialise those views and as a result— (Time expired)

**Syria**

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (14:23): My question is to Senator Abetz, the Minister representing the Prime Minister. Over the past 25 years, we have invaded Iraq twice, we have been in Afghanistan for over a decade, we have gone back to Iraq and now we are about to bomb Syria. There are a range of other countries involved in Syria, countries like the UK, France and Canada, who have allowed a full, frank and open debate around their engagement in that conflict. Why is it that our Prime Minister will not allow the same debate in the Australian parliament before committing our troops to another war?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:24): I think the honourable senator is getting somewhat overexcited when he suggests that extending air strikes into Syria is starting or creating another war. This is the same evil that we are fighting, and have been fighting, which has a base in Syria. And, as I understand international law— and somebody might help me out, but I see the Attorney is gone. I will try it. Article 51 of the UN charter does allow for collective defence to be undertaken, and in those circumstances we believe that international law does allow us to extend our operations from those which we are doing today to Syria, to overcome Daesh.

Now, one thing I cannot understand is that, day after day after day, we get questions from the Australian Greens doing everything but supporting our service men and women who are fighting an evil that is untold—a group of individuals that behead their victims, that rape their victims and then kill them, because they are of an opposite faith or of a different faith from their own. These are people that do untold atrocities. Yet there is not a word of support for our service men and women, or the service men and women of other countries that are doing exactly the same. We on this side salute the service of our men and women who are putting themselves on the line to protect us and indeed— (Time expired)

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (14:26): Mr President, I ask a supplementary question. When the Prime Minister was asked what victory looked like, he stated that it would look like this: an end to genocide and an end to terrorism being exported to other nations. Can the minister explain how bombing Islamic State, which is not the primary source of the genocide going on right now in Syria, will lead to an end to the genocide in that nation?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:27): The honourable senator surely has the intelligence and understanding to know that, within the Middle East at the moment, there are a number of evil regimes undertaking activities that I hope everybody in this place would abhor. As we speak, we are seeking to deal with Daesh, the death cult. Are there other evils being perpetrated in the Middle East, in North Africa? Yes, there are. Can we deal with all of them at once? Well, I do not think so at the moment. But what we are seeking to do is deal with this particular one in a manner which is in lockstep
with countries of like mind with whom we have fought in the past to overcome evil, be it in the First and Second World Wars or more lately in the Middle East. *(Time expired)*

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (14:28): Mr President, I ask a further supplementary question. The Prime Minister reportedly said today to Defence chiefs that, once a decision is made on Syria, he wanted at least one air strike by the end of the week. Can you confirm that the Prime Minister is seeking to interfere with the military's operational processes?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:29): Just yesterday, we had an Australian Green asserting that Senator Bernardi had said something, and Senator Bernardi came into the chamber later, after question time, absolutely debunking—and exposing the falsehood of—the Green's assertion. The Greens have a record, in this area, of misquoting people and then trying to get cheap headlines. I will not give credibility to the assertion that is implicit in the question from the Leader of the Australian Greens.

The Prime Minister has a great respect and regard for our military personnel, especially the chiefs, and he would not seek to intervene in relation to their activities and interoperational matters, which are ultimately designed to have the best strategic impact and not the sort of—*(Time expired)*

**Trade with China**

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:30): My question is to the Minister for Human Services, Senator Payne, representing the Minister for Trade and Investment. Can the minister outline how the landmark China-Australia Free Trade Agreement with the world's second-largest economy will create jobs and growth in all Australian states and territories through greater export opportunities.

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:30): I thank Senator Bushby for that question about the China-Australia Free Trade Agreement, because, as one of the three free trade agreements which this government has negotiated, two of which have been implemented, it is all about jobs and growth for Australia. What this free trade agreement will do is open extraordinarily significant opportunities for Australia with the world's second-largest economy—and, frankly, it is one of the fastest growing as well. It is already our largest export destination for both goods and services, and it is our largest export market for agriculture, resources and services.

What we will be able to achieve is the removal of some very significant barriers to Australian agricultural exports—so, to beef, to wine, to dairy, to barley, to seafood, to lamb and so on—which will be very, very important in every state of Australia. On full implementation, over 95 per cent of Australia's goods exports to China are going to enter China duty free. In fact, every state and territory is set to gain from this agreement. In Senator Busby's state of Tasmania, last year trade with China accounted for 21 per cent of their trade. In Western Australian, it is 45 per cent. In my own state, it is 24 per cent; in South Australia, 23 per cent; in Victoria, 21 per cent; in Queensland, 20 per cent; and in the Northern Territory, 19 per cent. Why would we deny ourselves the opportunity to significantly increase those proportions with this landmark free trade agreement? It is no wonder, therefore, that it
has been backed by a number of Labor state premiers: Daniel Andrews, Annastacia Palaszczuk, Jay Weatherill, and the New South Wales Labor leader in my own state, Mr Foley, and the ACT Chief Minister, Andrew Barr. They realise that this free trade agreement is about creating jobs and growth for all Australians. It is about making their engagement with the Chinese market significantly greater. (Time expired)

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:32): Mr President, I ask a supplementary question. Can the minister outline to the Senate how specific businesses will benefit as a result of the China-Australia Free Trade Agreement?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:32): I am going to display my slight preference for Western Sydney again and talk about a company called Ensitech, whose CEO, Clive White, attended the free trade forum in Parramatta last week, with trade and investment minister, Andrew Robb. It is based in Emu Plains in Western Sydney. It is a wholly-owned Australian company that has a unique business manufacturing stainless steel welding brushes and surface finishing systems already to some 15 export markets. They are an amazing example of how advanced manufacturing can thrive in this country, but only if there is adequate access to key export markets. As a result of the China-Australia Free Trade Agreement, Ensitech will end up with a 9.5 per cent tariff removed from their exports. That will amazingly improve their margins, their capacity to secure new customers and their competitive position, but, most importantly, it will improve their ability to employ people in Western Sydney in their own business. (Time expired)

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:34): Mr President, I ask a further supplementary question. Can the minister explain to the Senate the cost to the Australian economy if the free trade agreement with China is not implemented by the end of this year? Which sectors stand to suffer if the Labor Party does not support this landmark deal?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:34): If the free trade agreement is not supported by the end of this year, what those opposite will do is consign the tourism industry, for example, to not being able to safeguard what is already a $5 billion Chinese tourism market, growing at 20 per cent a year. In agriculture, the National Farmers Federation advise us that delaying in agriculture alone will cost $300 million just in 2016, with untold flow-on effects to rural and regional communities and enterprises. The Financial Services Council warns that, if the free trade agreement is not progressed, it can cost our economy more than $4 billion and some 10,000 jobs in financial services alone by 2013. It is incomprehensible that those opposite cannot see the opportunities and the advantages and the importance of progressing this free trade agreement.

**Renewable Energy**

**Senator WANG** (Western Australia) (14:35): My question is to the Minister representing the Minister for the Environment, Senator Birmingham. The Renewable Energy Act currently exempts 'self-generators' of electricity from liability under the RET Scheme, but the circumstances under which the exemption can be granted are very confined. In many remote communities, large-scale industry is the only source of power generation and provides 'incidental power' to important community services, such as local community radio stations, police and ambulance services and telecommunications. As a result of supplying incidental power, the generator may lose the exemption, significant liability can be triggered and the
cost may be passed on to local community services. Does the minister agree that this is an unintended consequence of the act?

**Senator BIRMINGHAM** (South Australia—Assistant Minister for Education and Training) (14:36): I thank Senator Dio Wang for his question and for some advance indication of the nature of the question. I do acknowledge that Senator Wang has made numerous representations on behalf of remote communities, including in some of the recent Senate debates in relation to the renewable energy target, where the government of course made amendments that provided for the sustainability of the RET and ensured that it will generate some 23½ per cent of renewable energy for Australia by 2020. As Senator Wang would know, the RET applies broadly to electricity supplied over the major electricity networks in Australia as well as self-generation of electricity above a certain threshold. This ensures that the costs of the scheme are shared and that perverse incentives are not created for businesses in terms of where they generate their electricity.

Exemptions from the RET have historically been restricted to businesses conducting emissions-intensive trade-exposed activities, which are exemptions that were further strengthened in the recent legislation the Senate passed, and for businesses self-generating electricity in specific circumstances. Entities that generate and use their own electricity can seek exemptions from RET liability but under strict eligibility conditions to target genuine self-generation. Redrawing the boundaries for the self-generator exemption is a matter that requires careful consideration, as we discussed in the recent Senate debate on this matter, because there is a real potential for unintended consequences in the way that the RET operates.

That said, the government is aware of the specific issues and concerns that Senator Wang has alluded to and has followed up on the issue since he raised these matters. It has been speaking with industry. I am advised that Minister Hunt is working to seek resolution to the specific circumstances that the senator raises.

**Senator WANG** (Western Australia) (14:38): Mr President, I ask a supplementary question. In December 2012 the Climate Change Authority raised this particular issue and so did the recent Warburton review. Will the government commit to solving this problem for our rural communities, and how will it do so?

**Senator BIRMINGHAM** (South Australia—Assistant Minister for Education and Training) (14:38): As I acknowledged before, the government recognise there are areas of concern and we are taking a proactive approach in trying to work with the energy industry, renewable energy generators and remote communities in discussing the specifics of these issues.

The changes to the renewable energy act that were passed by the parliament in June resulted in major improvements for the renewable energy industry, much of which benefit remote and regional communities. The first was placing the overall scheme on a sustainable basis, something that some in this place still fail to understand. The second change protected jobs, particularly jobs in regional and remote communities, by providing 100 per cent exemptions for many emissions-intensive trade-exposed industries. Many of those jobs are in remote and regional communities and this is of direct benefit to those communities. In relation to the specific issue, we continue to look at all appropriate issues to ensure the fair treatment of all remote communities as well.
Senator WANG (Western Australia) (14:39): Mr President, I ask a further supplementary question. Is the minister willing to commit to a deadline?

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:39): As I have stated, we are in the process of discussing solutions with the energy industry, renewable energy generators and remote communities. We are making sure that we take steps to not have any unintended consequences out of any changes that occur. We will have more to say on this matter in the future. Minister Hunt is always more than happy to talk through these matters with Senator Wang or his constituents.

Trade with China

Senator McGrath (Queensland) (14:40): Mr President, my question is to the Assistant Minister for Immigration and Border Protection, Senator Cash. In light of ongoing misinformation about labour market access under the China-Australia Free Trade Agreement, can the minister inform the Senate of any data that might shed light on the impacts that free trade agreements actually have on the number of overseas workers who gain temporary entry to Australia?

Senator Cash (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:40): I thank Senator McGrath for his question. Yes, I can shed light on this important question. Those opposite say that there will be a flood of foreign workers if the free trade agreement with China is passed. It is a fact that other free trade agreements have been in place for a number of years now. So let's look at how these have impacted on the number of foreign workers who have come to Australia.

The union campaigns that are currently running would have you believe that free trade agreements directly lead to an influx of foreign labour. This is simply not borne out by the facts. The current CFMEU campaign targets diesel mechanics. In 2008-09, the year when the Chilean free trade agreement came into effect, the total number of diesel mechanics in Australia from Chile on a 457 visa was zero. In 2012-13, this skyrocketed to one! Last year, it was back to zero.

The same CFMEU ad campaign also mentions that we will be flooded with electricians. Again, let's look at the facts. In 2011-12, when the Malaysian free trade agreement was signed, the number of Malaysian electricians in Australia on a 457 visa was two. In 2014, after the agreement was well in effect, have a guess how many there were. There were zero.

I am sure by now Senator McGrath is wondering why the Labor Party is so concerned with the China free trade agreement when it was not concerned previously when agreements were signed with Thailand, Chile, Korea and Japan. Where were the union campaigns when these free trade agreements were signed? They were nowhere to be seen. Bill Shorten should stop running the CFMEU's xenophobic campaign of lies and misinformation and pass the free trade agreement, because it will not lead to a flood of foreign workers but will lead to a flood of jobs for Australians.

Senator McGrath (Queensland) (14:42): Mr President, I ask a supplementary question. Will the minister inform the Senate of the steps involved in bringing a 457 worker into Australia and confirm that 457 visas are not a cheap option used to undercut Australian workers?
Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:43): As Master Builders Australia said in a recent Senate committee hearing, their members look to fill vacant positions with Australians first because the cost of compliance in going down the 457 labour market checklist is expensive. That is what companies will need to do if they bring a Chinese worker in. There is a requirement to meet market salary levels. There is no cheap labour; they have to meet market salary levels. The 457 workers have to demonstrate skills and qualifications to the Australian standard and meet English language requirements. The employer must be able to show that the position is genuine. The employer must fund the return travel costs and visa fees. Also, a requirement for the employer to make a financial contribution to training Australians continues to apply. The claims by the union in relation to cheap foreign labour, backed up by those opposite, are disproven by the facts.

Senator McGrath (Queensland) (14:44): Mr President, I ask a further supplementary question. Can the minister inform the Senate of any research which indicates how much better off the labour market will be under the China-Australia Free Trade Agreement?

Opposition senators interjecting—

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:44): I am going to quote a former foreign minister, Bob Carr, so those opposite should listen carefully and enjoy the ride. The Australia-China Relations Institute has concluded there will be more jobs at higher wages under the China-Australia Free Trade Agreement. It also found that the China-Australia Free Trade Agreement simply brings China in line with the way we treat other countries with which Australia enjoys FTAs.

You could be forgiven if I said that the Australia-China Relations Institute is somehow associated with the Liberal and National parties, but, as we know that is just not true because the director is none other than a person who used to sit here under the former government—former foreign minister Bob Carr. That is the same Bob Carr who wrote that the chapter has all the mechanisms necessary to protect Australian workers. He is just one of the many local luminaries to back the China-Australia Free Trade Agreement. (Time expired)

Taxation

Senator DAY (South Australia) (14:45): My question is to the minister representing the Minister for Finance. A short while ago I wrote to the government about income splitting, which is something, I know, Senator Canavan on my left feels very strongly about. Income splitting reduces the tax burden on single-income families by letting them combine and split their incomes for tax purposes. Some countries even allow taxable income to be split with children, and rightly so, given that Australian children pay, on average, half a billion dollars of GST per annum. Today's children also bear a greater burden of paying this generation's debt and deficit than current and past generations. Given all these factors, isn't it equitable for the whole family to pool and split their incomes for tax assessment?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:46): I thank Senator Day for his question and I acknowledge his longstanding interest in all matters to do with families and taxation. I note that this is the second time today that Senator Canavan has
been mentioned in questions, so well done! In relation to senators sitting to your left, I can honestly say that there is only one senator that sits to my left and that is the President.

In relation to the question that has been asked, many of the issues that the senator raises are matters that we as a government are seeking to grapple with, such as the deficit and debt burden. Senator Day has helped us to try to deal with that situation, whereas the Australian Labor Party and the Australian Greens, having created the mess, have no intention of assisting us in that regard. The current tax system is based on the individual, while the transfer system is based on the family unit. The transfer system that we have is based on the family as this is the more appropriate way to assess the means of a family unit and to provide targeted assistance.

People can mean many different things when they refer to income splitting. It may, for example, involve a joint filing system, which may involve significant new administrative costs to implement. There are also other options conceivable in tax theory. So when one looks at all the opportunities available, one thing that I would say to Senator Day is that this government is determined to look after the family and also to reduce the tax burden on the family unit. I know that that is what motivates Senator Day. It similarly motivates us. (Time expired)

**Senator DAY** (South Australia) (14:48): Mr President, I ask a supplementary question. Minister, the Assistant Treasurer replied to my letter stating that income splitting would be 'a disincentive for secondary earners to participate in the workforce'. Given the irrefutable evidence of the economic, social, emotional and other benefits for children of having a stay-at-home parent, why is the government so eager to drag parents away from their children and have them put into child care?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:49): We do have appropriate support for families where one parent does not work principally through Family Tax Benefit Part B. We do see the social benefits of time invested by parents in raising their children. I do not think that should ever be underestimated. The current individual tax arrangements support workforce participation, which is one of the government's key principles of tax reform. The recent *Intergenerational report* projected that the proportion of people working is expected to fall as the population ages. A lower proportion of Australians working will mean lower economic growth over this period. Accordingly, the government is delivering policies that encourage people who are not working to enter or re-enter the workforce.

**Senator DAY** (South Australia) (14:50): Mr President, I ask a further supplementary question. Minister, the Assistant Treasurer's letter also states that Family Tax Benefit Part B provides assistance to low- and middle-income single parents. I stated in my letter, and have always stated, that I am open to capping income splitting, as they do in other countries. Does the government accept that similar results that are presently achieved via Family Tax Benefit Part B can, instead, be achieved by a capped family income-splitting model? (Time expired)

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:51): I am not pretending to be an economic expert, but I would say to the honourable senator that, broadly speaking, I suspect that the honourable senator is right. In addition to the Family Tax Benefit...
Part A, eligible single-income families currently have access to Family Tax Benefit Part B annual payments totalling up to $4,274 for children under the age of five and $3,091 for children aged between five and 15 years. Depending on the design of the system, income splitting alone may not replace Family Tax Benefit Part B in simple dollar terms and could be less targeted than the current transfer system. Income splitting, depending on how it is designed, may add complexity to the tax system and discourage secondary earners from entering the workforce through high effective marginal tax rates, and additional assistance would still be required.

**Trade with China**

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (14:52): My question is to the Minister representing the Prime Minister, Senator Abetz. I refer to the Prime Minister's statement in the House yesterday that, under the China FTA:

... there is absolutely no possibility of placing any foreigner in an Australian job without labour market testing.

I refer the minister to article 10.4 of the China-Australia Free Trade Agreement, which states:

... neither party shall ... require labour market testing.

In light of this, can the minister explain why the Prime Minister misled the House?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:52): Just because the Leader of the Opposition does not understand the full document does not mean that the Prime Minister misled the House. What it shows is the incapacity of the Leader of the Opposition to read the agreement in full and in detail, something that three former ACTU presidents—Bob Hawke, Martin Ferguson and Simon Crean—have done and are willing to support, as indeed is Bob Carr, Premier Daniels and Premier Weatherill, from the senator's own home state. As a representative of South Australia, you might think she might be in lockstep with her Premier, who sees the benefit of this free trade agreement for jobs in his home state, which just happens to be the senator's home state as well.

So I would say to the honourable senator: read through the whole lot. Chapter 10 of the free trade agreement, the movement of natural persons provisions, is explicit. Australia's existing trade agreements mean that the categories that have already been removed—for example, in the Thailand, Chile, Korean and Japan free trade agreements, all other FTA partners—have varying degrees of exemptions, ranging back to the 1995 World Trade Organization General Agreement on Trade in Services.

I would also remind senators that, when introducing legislation in this place for labour market testing for the 457 visa program on 28 June 2013, Labor Minister Lundy said:

The measures will be implemented in a manner consistent with Australia's relevant international trade obligations.

This is exactly what we are doing. *(Time expired)*

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (14:55): Mr President, I ask a supplementary question. I note the minister did not deny that the Prime Minister had misled the House. I refer again to the Prime Minister's misleading statement:

... there is absolutely no possibility of placing any foreigner in an Australian job without labour market testing.
Is the minister aware that the Department of Immigration and Border Protection told the Joint Standing Committee on Treaties on Monday that, under the China free trade agreement, engineers, nurses and trades workers ‘would be exempted’ from labour market testing? Does the minister still stand by the Prime Minister’s misleading statements?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:55): Mr President, I would have thought I made it perfectly clear that the Prime Minister did not mislead the House. In the event that I did not, let me repeat for the honourable senator: the Prime Minister did not mislead the House. You, Senator, have misinterpreted the document. The LMT exemption under ChaFTA for nurses and engineering occupations is consistent with the commitment in the other free trade agreements in which LMT is exempted for contractual service suppliers, including our free trade agreements with Thailand, Chile, Korea and Japan.

This is an agreement of historic proportions. It is jobs rich. It has the capacity to set up our nation for a long, long time, and here we have Labor playing base politics. (Time expired)

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:56): Mr President, I ask a final supplementary question. Can I ask this question: why is it that this Prime Minister and this government continue to mislead the Australian people, including in the House of Representatives, about the content of the China-Australia Free Trade Agreement instead of dealing with the legitimate concerns that the Australian community have raised?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:57): Falsehoods raised by the Australian Labor Party playing ventriloquist doll to the CFMEU are not the legitimate concerns of the Australian people. Indeed, the so-called concerns that have been whipped up with an egg beater by Senator Wong and her former colleagues in the CFMEU are a disgrace. What it shows is that Mr Shorten is not in any way fit to be the Prime Minister of this great country when he is willing to prejudice such an important agreement, an agreement that is the envy of so many other countries around the world. They would love to be able to have such an agreement as this with China, such an important, dynamic and growing economy with opportunities untold, untapped, which we can now tap into, which we can now harness and create job opportunities and wealth for our fellow Australians. (Time expired)

Trade with China

Senator REYNOLDS (Western Australia) (14:58): My question is also to the Leader of the Government in the Senate and Minister for Employment, Senator Abetz. Is the minister aware of claims made last November that under the China-Australia Free Trade Agreement the Chinese would be given carte blanche to bring in their own workers and that all workers who made Australian goods could lose their jobs? Can the minister also advise the Senate the source of these patently xenophobic claims?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:58): I thank Senator Reynolds for her question. I note that Senator Reynolds is a senator from the state of...
Western Australia, 45 per cent of whose exports go to China, a vital source for job creation and wealth creation in Western Australia.

Last November before the China-Australia Free Trade Agreement was even revealed, we had the ACTU President saying: 'So the Chinese do a deal. They say, "We want to build a mine. We're going to use our labourers, we might ship in our food, we bring in all our products—you know, we make sure we actually have a fence around," so immediately you'd lock out maybe thousands. We don't even know if the Chinese labourers will be allowed out of the compound at all.' Later on Ms Kearney went on another radio station and said: 'If they bring in their own supplies and their own goods for those projects from China then our Australian manufacturers miss out and all the workers that make Australian goods lose their jobs and miss out. It is a knock-on effect which could be really terrible for our economy.'

That was all simply untrue and shamefully said to whip up hysteria. Yet pangs of conscience did finally get to Ms Kearney when she had to admit—and listen to this—'It's very difficult not to sound xenophobic in this situation.' I wonder why? Because it is xenophobic. Having so recklessly overegged their opposition to the unseen China free trade agreement, resort was had to xenophobia and stereotyping by the ACTU—a campaign specifically rejected by 21 years of ACTU presidents. It is time for Labor to— (Time expired)

Senator REYNOLDS (Western Australia) (15:01): Mr President, I ask a supplementary question. Will the minister also advise the Senate whether this patently xenophobic campaign against the China-Australia Free Trade Agreement is continuing today?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:01): Unfortunately, it is continuing. The ETU national secretary, Mr Allen Hicks, has told rallies, 'The Chinese free trade agreement is an attack on our safety and sovereignty.' He also said—and listen very carefully to this—it 'will lead to electrocution deaths, house fires, and other safety problems'. Does this sound familiar? You do not need a Chinese free trade agreement for that to happen. All you need is a Labor Party pink batts scheme, don't you?

This sort of sentiment was repeated by the Leader of the Opposition in a doorstop in the Canning by-election, and this is what he said:

I don't see what is wrong with suggesting that if we're going to bring in—now listen to this—

… electricians who might go into your roof, what we want to make sure of is that their skills, and training and safety knowledge are up to Australian standards.

(Time expired)

Senator REYNOLDS (Western Australia) (15:02): Mr President, I ask a further supplementary question. Will the minister also advise the Senate of the risks of this continued xenophobic campaign against the China-Australia Free Trade Agreement?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:02): Thousands of jobs are at risk if this Chinese free trade agreement does not go ahead.

Senator Whish-Wilson interjecting—
Senator ABETZ: A senior lecturer in international relations at Deakin University—who might just know a little bit more about those things than self-appointed Senator Whish-Wilson—Chengxin Pan, has said:

... the union-led campaign has caused some bewilderment among Chinese officials.

... ... ...

If the anti-FTA campaign continues, whatever the outcome, many Chinese will draw the connection with the White Australia policy more than a century ago, and some will probably have difficulty seeing differences.

Do you know why they will have difficulty in seeing the differences? Because it will be the same old Australian Labor Party that peddled the White Australia Policy 100 years ago, and they are back to their old tricks today for cheap political purposes— (Time expired)

Higher Education

Senator KIM CARR (Victoria) (15:03): My question without notice is to the Minister representing the Prime Minister, Senator Abetz. I refer to the Prime Minister's repeated promises prior to the election two years ago that there would be no cuts to education. Can the minister confirm that the government is still intending to cut funding for undergraduate places at universities by an average of 20 per cent and up to 37 per cent for some courses?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:04): No, I will not confirm that, because one has learnt over the many years that Senator Carr has been in this place that he can never be relied upon for accuracy, so I will dismiss his assertions. However, in general what I can say is that the last budget has shown an increase in education expenditure. We are concerned to ensure that that does continue despite the reckless state of the economy and the finances with which we were left—

Senator Wong: Which got worse under you.

Senator ABETZ: Senator Wong, who cannot stop herself continually interjecting, says it has gone worse under us. The trajectory was on a steep incline when we came to government. We have decreased that steep incline. Is it still increasing? Yes, because to turn the ship of debt around takes some time. What is more, for the first nine months of this government the Labor-Green majority in this place denied us the capacity to turn the ship around. They even voted against their own savings proposals that they took to the last election. They refused to pass $5,000 million worth of election savings through this place, despite going to the people and saying, 'This is bipartisan policy. We support these savings.'

Are we in tight financial circumstances? Yes, we are. Are we making every single dollar count for the best possible value for the Australian taxpayer? Yes, we are. Are we getting rid of some of the ridiculous, unfunded promises from the Labor Party? Yes, we are. We said we would. We are doing it because we do not want to leave— (Time expired)

Senator KIM CARR (Victoria) (15:06): Mr President, I ask a supplementary question. Last month, a former senior education department official, Mr Mark Warburton, who helped develop the higher education policy, confirmed that it would see university funding halved over the longer term. He said:

It is not clear to me that education cuts of this magnitude will make the future of the next generation more secure ...
With former officials now admitting that the policy is a dud when will the government rethink this broken promise, which puts the future of Australians— **(Time expired)**

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:07): Of course the policy is not a dud. The policy that we have put forward is a policy that looks to the long term, especially for our tertiary education sector. Unless the university sector gets with the program and understands its need to compete on the international level, Australian universities will be left behind.

I recall that when I thought about going to university there was one option open to me. That was the university of Tasmania. For my children, the option was universities in Australia. I suspect that if I am ever blessed with grandchildren their option will be universities of the world. Unless the Australian universities are competitive on the international front they will be put out of business by human movement. **(Time expired)**

**Senator KIM CARR** (Victoria) (15:08): Mr President, I ask a further supplementary question. Can the minister advise the Senate when the parliament will see the latest iteration of the higher education deregulation legislation? Will the changes still have a commencement date of January 2016?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:08): As to the specific date, no I cannot, but as for a commencement date I think everybody on our side would like to see a commencement date of 1 January 2016. And, of course, the sooner the Labor Party comes on board with this important imperative for a university sector the quicker we will be able to bring the legislation in so that Senator Carr can vote for it. I ask that further questions be placed on notice.

**The DEPUTY PRESIDENT:** I do thank senators for their added cooperation during question time.

**MOTIONS**

**Syria**

**Senator Di Natale:** I seek leave to move a motion relating to Australian forces in Syria.

**The DEPUTY PRESIDENT:** Leave is not granted. Are there any motions to take note of answers?

**Senator Di Natale:** I move that parliamentary approval should be required for Australian forces to be—

**The DEPUTY PRESIDENT:** I am sorry, leave has not been granted, Senator Di Natale. Leave has not been granted to suspend standing orders.

**Senator Di NATALE** (Victoria—Leader of the Australian Greens) (15:10): Pursuant to contingent notice of motion, I move:

That so much of the standing orders be suspended as would prevent me moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion relating to parliamentary approval of the involvement of Australian forces in Syria.
The DEPUTY PRESIDENT: Thank you, Senator Di Natale.

Senator Di Natale: I move that a motion relating to Australian forces in Syria may be moved immediately and have precedence over all other business this day until determined.

The DEPUTY PRESIDENT: The question before us is the suspension of standing orders.

Senator DI NATALE: Yes. I move directly to the issue at hand. It is that parliamentary approval should be required for Australian forces to be deployed to Syria. I do believe this is a matter of urgency. We have just had—right now, from Senator Abetz in question time—an accusation that is the most serious accusation that could be levelled at a member of the Australian parliament. It is an accusation stating that somebody who questions our involvement in a conflict is somehow questioning the commitment that we have to our service men and women.

That is the refuge of a scoundrel. To suggest that what we are doing by questioning our involvement in a war in Syria is somehow reflecting a lack of commitment to the troops engaged in conflict in that region is pathetic. The best thing we can do to safeguard our troops is to ensure that before we embark on a conflict of that nature we have a full, frank and open debate in this parliament to ensure that what we are doing is going to a war that is legal, going to have a war that is not based on the self-interest of a Prime Minister who is desperate to save his political hide. We need to have a debate in the Australian parliament—

Senator IAN MACDONALD (Queensland) (15:12): Mr Deputy President, I raise a point of order. I have been listening intently to Senator Di Natale. This is a motion about suspending standing orders and why it is imperative that the parliament, the Senate, should avoid its regular routine and deal with an issue that Senator Di Natale says is important, when it cannot be dealt with by Senator Di Natale in some other way during the course of this chamber. My point of order is that he is not explaining why it is essential to suspend standing orders.

The DEPUTY PRESIDENT: I have been listening carefully, also, and Senator Di Natale has, in fact, opened up with the reasons for his thinking this is an urgent motion that needs to be debated straight away, and he is prosecuting that argument now. I am satisfied there is no point of order.

Senator DI NATALE: I do not know what could be more important than the lives of Australian service men and women. What could be more important than that? Why are we not having a debate in this parliament about whether we should be committing our troops to another conflict overseas, particularly when the Prime Minister says we will be committed to a war until we see an end to the genocide that is going on in Syria and we see an end to the terrorism that is being exported?

According to the Prime Minister, that is what the end game looks like. If that is what the end game looks like, we are there for a very long time. To say that somehow our involvement in that conflict will lead to that outcome is wishful thinking, in the extreme. This should not be a captain's call. As it is in the parliaments of similar democracies, like the UK and Canadian parliaments, there should be a debate within the Australian parliament.

Here we have, at the stroke of a pen, the Prime Minister deciding to engage in a conflict overseas that has resulted in the displacement of four million Syrian refugees, half of them
children. On the one hand, he makes an announcement that we will settle 12,000 of those refugees in Australia, which we welcome. On the other hand, he commits us to a conflict that will aggravate the circumstances that have led to those people fleeing their homelands—a commitment that is not supported on any international legal basis, a commitment that is so muddle-headed, so incredibly reactionary, that we do not know what the endgame looks like. How long are we going to be stuck in Syria? How long are we going to be there? What does the endgame look like?

At the announcement of our first involvement in Iraq, we said it would be a very slippery slope and we should beware of mission creep occurring. And here it is: we have mission creep on a grand scale. The reason we need a debate in the parliament, the reason this is an urgent motion, is that leaving this to prime ministers, who will potentially put their own self-interest ahead of the national interest, is a very dangerous situation. When the Prime Minister says he wants at least one air strike by the end of the week—and, coincidently, we have a by-election the following week—you start to ask questions about what is motivating this conflict. Former foreign minister Gareth Evans said:

... effective counterterrorism is much more about strong international cooperation on intelligence and policing, and winning relevant community support at home for tough measures.

And the use of military action is always a last resort. This is very dangerous action indeed, and the parliament should be debating it. (Time expired)

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:17): The government opposes the motion; no case has been put in relation to urgency. The last thing our service men and women need is the strategic thinking and input of the Australian Greens as to how we might conduct military activities overseas. I think what they actually want is the advice of the intelligence services and the men and women who are at the apex of the Defence organisation. The Leader of the Australian Greens, as is their wont, hypocritically asserted that I engage in the activity of 'the refuge of the scoundrel' and he accused the Australian Prime Minister of sending young Australian service men and women into a theatre for only one purpose—that is, his own political benefit. That is a disgraceful suggestion. It is beneath contempt. And yet, while they say it is outrageous to say anything against their motives, they drop it by the bucket load on the Prime Minister and say that is all fair. Their antics today show that the leader of the Australian Greens is completely unprepared in terms of the standing orders on how to go about this matter. They then presented an argument devoid of any substance.

The important thing for Australian service men and women is that they be part of a group of other countries in this theatre that can fight this evil.

Senator Whish-Wilson: Which evil are you talking about?

Senator ABETZ: Senior Whish-Wilson, this is the exact example we need: 'What evil? Excuse me, I see no evil in Daesh! I see no evil in people being beheaded. I see no evil in—'

The DEPUTY PRESIDENT: Senator Abetz, resume your seat. Senator Whish-Wilson on a point of order.

Senator Whish-Wilson: Mr Deputy President, Senator Abetz deliberately misquoted me. I said 'Which evil are you talking about?' not 'What evil?'
The DEPUTY PRESIDENT: That is not a point of order; it is a debating point. Resume your seat. Senator Abetz, you have the call.

Senator ABETZ: The suggestion is that somehow this is an illegal activity. The United States, the United Kingdom and other countries are involved in it. And I tried my luck during question time when I quoted article 51. It has been confirmed that I was right. Article 51 does allow for collective defence measures to be taken such as the ones we are now going to be involved in in relation to Syria. Senator Di Natale says 'How long is it going to take?' Everybody wishes that they could have a definitive answer. It is so easy to stand in this place and ask questions that no man can answer. It is like the question 'How long will it take to put the bushfire out?' It depends on how the wind blows, whether the rain comes and whether a tanker breaks down on the way to the fire—imponderables that you can never fully take into account. It is the same with conflicts around the world. How long will it take? Of course, nobody can answer that. But this we know: the longer it takes to defeat Daesh, the more people will be beheaded and the more women will be raped and then killed. Moet depravity will occur. More antiquities will be destroyed. More vandalism will occur. All the while, the Australian Greens answer to this is 'Oh, if we have a debate in the Australian Senate, Daesh might actually be listening and decide "No, we should not go on this particular raid today. No, we won't behave in this particular offensive manner today."

Sometimes, regretfully, evil has to be fought with force. That is why the Prime Minister's announcement today is such a good and balanced one. It has a military component, to try to defeat the evil which is one of the causes of the mass migration, whilst on the other hand also providing humanitarian assistance to the victims in the short term. (Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (15:22): I indicate that the opposition will not be supporting this motion. We do accept the general view that has been put that there should be a parliamentary discussion on this. In fact, we made this point very strongly to the government today. What we would prefer is, as was promised by then Minister Johnston in this chamber, regular updates. It has been a while since we have had an update, and I call on the government to provide to the chamber an update. I appreciate that the Minister for Defence is no longer in this chamber, but it could be provided by a senator on behalf of the government. That would then allow a discussion of deployments and the expansion of our activities. I think that would be entirely appropriate.

The government has made that commitment—the former minister made that commitment—and I urge the government to clear some time in the parliamentary schedule, by negotiation or from its own time, to enable all of the senators in this chamber to discuss and debate this issue. It would be a healthy thing for the parliament and a healthy thing for our country if there were an ability for people to express their views. There will be many differing points of view, but the chamber, the parliament and the country will be better for hearing those views. So I urge the government to consider making a statement, perhaps on Thursday, which would allow us to have some discussion and debate during the course of the afternoon. With deference to my colleagues in the Greens, I cannot indicate support for your proposition, but I encourage the government to look at setting aside some time for a genuine discussion in this chamber.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:24): I must say I was a little surprised when
Senator Di Natale rose to his feet to seek to move a motion before this place to facilitate a discussion on the government's decision today. In fact, I think his objective was to move a motion that it might require parliamentary approval for governments to take a decision to commit forces. But I was a little surprised and perplexed because it seemed that Senator Di Natale had given so little thought to the procedure that would be required that his effort consisted of waving his arms and saying, 'Blah, blah, blah.' Senator Di Natale seeks to have a parliamentary debate on process related to government decisions, but he has not even given any thought to the process and procedure required in this place. Senator Di Natale belied a sense of seriousness in this place and demonstrated that what he was seeking to do was essentially a stunt, but it was a stunt which he was not even well prepared for.

In the Australian context, it has been the practice and the convention observed by governments of both persuasions that the decision to commit Australian Defence Force personnel is taken by the government of the day. It is a decision that is determined by the National Security Committee of the cabinet and is then ratified by the cabinet. That is the process that has been observed. We do not follow the American system. We have a different constitution. It has always been seen to be a decision for the government of the day. If the Australian public have a contrary view, the method in this system is that they can express their view at the ballot box.

That is not to say, however, that it is not appropriate to debate decisions of government in the parliament. In fact, that is what we spend much of each day doing—debating the decisions of the government of the day—whether in the form of proposed legislation or of questions to ministers of the day. Obviously, there are other forums and formats within the parliament where such debates can happen and they do, on occasion, happen by agreement and consensus across the chamber. So the government is not suggesting for a moment that decisions of the government of the day should not be debated—of course they should; that is part of the purpose of the parliament—but there are appropriate forms and procedures for that to happen. What the government does definitely not agree with is that parliamentary approval should be required before the government of the day commits Australian Defence Force personnel. I think we would also disagree with the Greens in relation to what the threshold should be for engagement of military forces with those that we oppose.

I think Senator Abetz is quite right to describe ISIS as evil and to suggest that it is appropriate that we do what we can to help stop its evil. There are times, regrettably, when the deployment of force is required to be determined by the government of the day, but I must completely reject Senator Di Natale's suggestion that the decision of the Prime Minister and the government is in any way, shape or form framed by political considerations. The decision of the government is framed entirely by considerations both of our own national interest and also of the broader international interest. It is not in the interest of Australia, and it is certainly not in the interest of Syria or Iraq or the neighbouring nations, that ISIS be allowed to flourish. ISIS should be contained. ISIS should be destroyed. The government has taken the right decision that we should be a part of that effort, and the Greens have not made a case for the suspension of standing orders.

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (15:29): I understand that the suspension of standing orders is not a trivial matter, and it is not something that the Greens would engage in lightly. But I was still flabbergasted to hear
government spokespeople deny that there was a sense of urgency around a debate such as this. It is an urgent matter when the Prime Minister unilaterally commits the ADF to a conflict on the other side of the world where the strategic imperatives are completely unclear, the success conditions are unclear and the legality is unclear. We heard Senator Abetz's interpretation of the legal basis upon which Australian aviators and, potentially, other personnel will be deployed over Syria and find it completely unsatisfying.

I do not think we should simply rush into this expanded deployment. When we were debating these matters 12 months ago, Senator Christine Milne, as Leader of the Australian Greens, warned of mission creep. She warned of an open-ended military commitment into a complex and violent situation on the other side of the world which Australia bears some responsibility for opening up. If we heard the Prime Minister or anyone on his frontbench—anybody who was in cabinet in 2003 when we signed off, sight unseen, on an illegal and unjustified invasion of Iraq—provide even a moment of acknowledgement that that was a catastrophic strategic mistake, it would be easier to bear some of those who file in here today and condemn the Greens for daring to question the strategic resolve, or the strategic brilliance, of those who continue to deploy foreign forces into these theatres of war on the other side of the world.

Retired General Peter Gration, who was the CDF from 1987 to 1993, points out in an open letter that involvement in airstrikes would be inviting disaster. He goes on to point out:

... there is no UN cover for that particular operation.

I believe that will give them a strong indication that it would be illegal.

Prime Minister Tony Abbott, in an interview that he did I think last week, was asked: what is the legal basis for an Australian deployment into the Syrian civil war? He pointed out—and I will paraphrase, as this is not a direct quote—Daesh does not respect international borders; why should we? I found it extraordinary that he would choose Daesh as our benchmark for the international rule of law. I find that suggestion somewhat sick when we consider that involvement in illegal wars potentially exposes our service personnel and those who direct them into those theatres of conflict to international sanctions. That is as serious as this can get.

Syria is one of the most dangerous places in the world. I acknowledge the point that the Prime Minister made in his press conference about Syrian civilians—for whom this action is arguably justified—'being caught between the hammer and the anvil'. This makes it sound as though there are only two sides to a simple conflict. That is simply not the case. I will quote Peter Harling of the International Crisis Group—hardly an organisation of non-violent practitioners. Nonetheless, he said the following:

... Islamic State has prompted a response that combines all the ingredients necessary to make it stronger: Western over-the-horizon military intervention; a regional arms race as a variety of countries rush to provide money and weapons to improvised proxies (whose factional and sometimes sectarian agendas further degrade decaying state institutions and exacerbate social fault lines); and growing repression of civil liberties and empowerment of backward-looking (but formally secular) power structures.

That is the disaster that Prime Minister Tony Abbott has waded into.

I understand Senator Abetz's alarm and concern when we raised the fact that The Daily Telegraph reported this morning that the Prime Minister wants somebody bombed by Saturday. It is The Daily Tele, so you cannot take it too seriously. But they do have very good
contacts inside the Prime Minister's office. We frequently see these national security announcements mysteriously leaked out of cabinet or the national security committee. How are we supposed to take that kind of information when it is put onto the front page of a Murdoch tabloid?

The ALP—and I have noted Senator Conroy's comments and those of the Leader of the Opposition in the House—wants the government to make a statement on the long-term strategy. Again, I am paraphrasing an appropriate parliamentary discussion: wouldn't the time for that be before the deployment rather than after? We are rushing straight into the same kind of situation that ripped open these sectarian tensions across Iraq, the same kind of situation that the Prime Minister unilaterally signed off on at the behest of the United States government in 2003. Have we learned nothing from history? This parliament is the place for that debate to happen, and now is the time for it to occur.

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

The Senate divided. [15:39]

(The Deputy President—Senator Marshall)

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

AYES

Di Natale, R
Hanson-Young, SC
Lambie, J
Ludlam, S
McKim, NJ
Rhiannon, L
Rice, J
Sievert, R (teller)
Waters, LJ
Whish-Wilson, PS

NOES

Back, CJ
Brown, CL
Bullock, JW
Bushby, DC
Cameron, DN
Canavan, MJ
Colbeck, R
Collins, JMA
Day, RJ
Fawcett, DJ
Fifield, MP
Gallacher, AM
Gallagher, KR
Ketter, CR
Lazarus, GP
Leyonhjelm, DE
Lindgren, JM
Ludwig, JW
Macdonald, ID
Marshall, GM
McAllister, J
McEwen, A (teller)
McGrath, J
McKenzie, B
McLucas, J
Moore, CM
Muir, R
O'Neill, DM
O'Sullivan, B
Peris, N
Polley, H
Reynolds, L
Ryan, SM
Singh, LM
Smith, D
Williams, JR
Wong, P
Question negatived.

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

**Economy**

Senator O'NEILL (New South Wales) (15:41): I move:

That the Senate take note of the answer given by the Minister representing the Minister for Small Business (Senator Abetz) to a question without notice asked by Senator O'Neill today relating to competition policy.

Again, we have another question time that reveals issues that are tearing this coalition government apart. Those who watched closely when this government was elected might remember that on arrival they actually did not do much. There was this long delay before they actually started to do things. But one of the first things they did do—in an effort to respond to supporters, I expect—was to ask for a review of competition policy. That was one of the first things they implemented, on 4 December 2013. They gave ample time to Mr Harper to undertake his review, and in fact it returned in March 2015. That is when this government got the review: March 2015. On 14 April 2015 Mr Harper himself gave a speech to CEDA. This has been out and under discussion in the public for that whole time—for six months. I also want to put on the record that Mr Harper, perhaps anticipating the incompetence of the government, decided to give them a bit of a hand and attached at the end of his report a draft piece of legislation for the implementation of what he suggested. But even with that big leg-up from the man they picked to do the job of the competition review they still have not settled on a position. In fact, there were reports in the paper, after the coalition party room meeting this week, in which the cabinet is supposed to have deferred a decision on the matter indefinitely.

It is an issue that is tearing this government apart—Liberal from Liberal, National from National. Indeed, there is a list of members of the coalition and the government who are at each other's throats. I will just go through it, as reported in the *Australian Financial Review* article of 8 September. The article reported that nine members and senators, including Bert van Manen, Matt Canavan, Matt Williams, Andrew Southcott and our own senator Ian Macdonald, argued for the cabinet to approve the proposed changes to section 46 but were met by an attack from the other side of their own party. This goes to the certainty that the Treasurer, Mr Hockey, is doing a terrible, terrible job. His own party does not trust him with anything to do with this competition policy, let alone other economic policy.

This Prime Minister, who has made an unbelievable set of terrible captain's calls, cannot seem to put his foot down on this effects test. Rather, he is just allowing this unrest and division and uncertainty to linger long over those opposite.

There is the sort of commentary that we are hearing from participants in this debate. Particularly the commentary of Minister Billson is worthy of comment. In recent times, he declared that section 46 was a dud. He said straight out that it does not work; it is like 'a hunting dog that won't not leave the porch.' He is out there drumming up business amongst his colleagues in opposition to the uncertain position, or seemingly uncertain position, of the leader at this time.

Let's contrast this with Labor's position. In opposition we made it clear that we do not support this effects test. We do not think it is good policy. We think it would hurt
competition. We think it would stand in the way of enterprise. We think it would have a
disastrous impact on business investment decisions. We do not agree with it. But the other
side cannot even make up their mind about it. In Senator Abetz's answer what we heard was,
'We will consider the Harper review.' They have already been considering it for more than six
months. This was a high-order issue. They commissioned this report immediately. It was one
of the very first things they did, and they are not advancing at all. Cabinet is all over the place.

Senator Bushby interjecting—

The DEPUTY PRESIDENT: Senator Bushby, that is enough.

Senator O'NEILL: Senator Abetz, in his answer to the third question that I put to him—
the second supplementary—said, 'Until such time as we determine a view in cabinet, anyone
can say anything.' He said, 'Anyone can say anything.'

Senator Smith interjecting—

The DEPUTY PRESIDENT: Order! Senator Smith, you will get your opportunity.

Senator O'NEILL: This disunity of ideas is exactly as Senator Joseph Ludwig aptly
described. I want to put it on the record because it would not have been picked up. He said,
'This is a government that is all over the shop like a dropped pie.' That is exactly the visual
image: the detritus all over the floor of a government that has no position on anything of
substance, and it is on the watch of Abbott and Hockey—a disaster for businesses across this
nation. (Time expired)

Senator SMITH (Western Australia) (15:46): I do not mind starting this debate by
acknowledging that normally Senator O'Neill's contributions are worth listening to.

Senator Fifield interjecting—

Senator SMITH: My apologies, Senator Fifield: they are usually worth listening to. This
is, unfortunately, a very significant departure from that. On the first point, Senator O'Neill is
grossly misinformed. If Senator O'Neill is going to take as her sole source of evidence
information in the media, she is off to a very poor start. Secondly, and I suspect more
significantly, is this point: not once in Senator O'Neill's contribution did we hear Senator
O'Neill present a point of view. Does she support reform of section 46 or does she not support
reform of section 46? Does she support the concerns of small businesses or does she not
support the concerns of small businesses? Senator O'Neill quickly dropped to the bottom of
the political barrel by not even addressing the substance of the issue.

The third point is this: Senator O'Neill wants to make it a crime for members of parliament
to come to the parliament or to their party rooms and express points of view on behalf of their
constituencies. If that is a crime, that speaks not of the welfare of the modern Liberal Party
and the National Party; that speaks of the problem inside the modern Australian Labor Party. I
think that as adults and as senators we can be mature enough to recognise one important issue,
and that is that reform of section 46 is a contentious issue. It deserves to be a contentious
issue because this is the first time in 20 years that this nation has had a proper document on
which to gauge future reform of competition laws in this country. It is right that we should be
having a debate on this issue. It is more than right that members of the Senate, members of the
House of Representatives and, indeed, members of the modern Liberal Party come to this
place representing the views of their local constituents.
It is interesting on another point: we do not often hear questions or debates from the Labor Party about issues important to small business. Very rarely do we hear issues of debate important to small business brought to the Senate by the Australian Labor Party. I could not help but reflect on part of Senator Abetz's answer to the question from Senator O'Neill when he recounted what the former Labor leader, Kim Beazley, had said. He had said that the Labor Party is no friend and does not pretend to be a friend of small business in this country. That is shameful!

But what we saw today in question time was a retreat, perhaps even a defeat, because Labor did not seek to spend much of its time on the China free trade agreement. One question was asked, but none of its other time was spent on the issue of the China free trade agreement. You cannot come into this place pretending to be concerned about small business but ignore the very real economic opportunities that arise from the free trade agreement with China. That leads me to think that Labor is in retreat or has been defeated in the arguments that it has been trying to put over recent weeks and months around the China free trade agreement. It is very obvious why they might be in retreat and why they might be feeling defeated. It is because Bill Shorten and the modern Labor Party in the Australian parliament have no friends in the Labor Party when it comes to its position on the China free trade agreement.

What did the Premier of South Australia, Mr Weatherill, have to say about the debate on the China free trade agreement in just the last 24 hours? He said it was time to step aside from the hysteria put about by the modern Labor Party who pretend today to be interested in small business and in the welfare of Australian workers. Let me end with a quote from Mr Weatherill. Mr Weatherill said— (Time expired)

The DEPUTY PRESIDENT: Senator, you have now run out of time. I did grant you a lot of latitude in respect to the later part of your comments, given that the question before the chair is simply: the answer to the question asked by Senator O'Neill.

Senator KETTER (Queensland) (15:52): Once again the chaos and dysfunction of this government are on display for all to see. It is quite clear that the moral authority of the Prime Minister and the Treasurer have been irrevocably damaged by the events of this year. Many of the decisions that the Prime Minister has made, described as captain's picks, have been found completely wanting. It is worth reflecting on the reasons behind this collapse in the authority of the Prime Minister. We have just marked the first two years of the Abbott government, and for the first time in over 20 years more than 800,000 Australians are out of work, with the unemployment rate increasing from 5.7 per cent to 6.3 per cent. We know that annual economic growth is now below trend in every quarter under this government. Families are suffering from cuts of over $6,000 a year, and cost-of-living pressures are increasing. Sick Australians are paying GP tax by stealth. Schools and hospitals have been cut by $80 billion, and students are facing the prospect of $100,000 university degrees. Australians are paying more tax than at any time since the Howard government, and under this scenario the Prime Minister is talking about jacking up the GST. The budget deficit has doubled. At every turn the Australian government has betrayed Australian jobs, from manufacturing to defence and renewable energy. Is it any wonder that the authority of the Prime Minister and the Treasurer has collapsed in this scenario and that that is leading to chaos and dysfunction within the government?
Senator O'Neill has made reference to a recent report concerning the coalition's caucus discussions. It appears that recently the Prime Minister sought to shut the door on the small business sector's hopes for an effects test to curb the misuse of market power by big business, only to find that a number of backbenchers, who have already been named by Senator O'Neill, sought to put pressure on the Prime Minister to adopt the position of the small business minister, Mr Billson, on the effects test. This is quite clearly an example of where we have a dysfunctional situation, where there is open defiance of the Prime Minister's position. The Prime Minister apparently told the joint party room that he was taking the Harper review recommendation seriously; however, he went on to say that the debate had become too 'theological'. That is a rather unusual position for the Prime Minister to take—having set out the position, it now appears that the party is continuing to grapple with this issue.

I want to take up Senator Smith's assertion that this issue has not been looked at before. The issue of an effects test has been considered in 12 reviews since 1976—10 have recommended against its introduction, and that includes the Dawson review in 2003. I understand that that review rejected the proposition of an effects test, and that was also endorsed by then Treasurer Costello and Minister Hockey. We are finding that this is a government which, in contrast to the opposition's very clear position on this issue, seems to be gripped by analysis paralysis. It is not able to make a decision, mainly because the Prime Minister himself is not respected within the Liberal and National parties. The Prime Minister appears to have let the small business minister off the leash to put out his case for these ill-thought out changes. Labor is not in favour of abuse of market power—of course we are not—but we have other mechanisms that we are prepared to pursue. In government we did address this issue by bringing together some of the major supermarket retailers and the National Farmers Federation in an attempt to come up with a code of conduct. There are sensible propositions, but this is a government that clearly is incapable of bringing those forward.

Senator LINDGREN (Queensland) (15:57): Those opposite are not talking about policy, they are talking about politics. I have to agree with my colleague Senator Smith—those opposite should not believe everything they read in the media. How hypocritical they are, when they were in power for six years and did not take competition policy seriously. If those opposite were serious about it, they certainly would have grappled with the issues and taken this review on, as we have. The Harper Competition Policy Review is the first comprehensive review of Australia's competition policy framework in more than 20 years. The proposed amendment to the misuse of market power test is one of more than 50 recommendations contained in the Harper report. The government is continuing to consider recommendations of the Harper review of competition policy, and the government will respond appropriately to those recommendations from the review in due course.

Healthy competition is one of the surest ways to lift long-term productivity growth, incomes, economic prospects and performance. It drives enterprises to excel and to find new ways to delight customers—new offerings, new entrants, better value and choice. A key responsibility of any government is to ensure that the right settings are in place to enable efficient businesses, big and small, to thrive and prosper, and that the contest to win customers is determined on merits, not pure financial muscle. Our government is serious about getting it right. That is why the Abbott government commissioned Professors Ian Harper...
and his panel to conduct a root and branch review of the competition policy, laws and institutions—the first comprehensive examination in a generation. The Harper report's 56 recommendations seek to lay the groundwork for a more competitive and flexible economy and to make markets work better for the benefit of all Australians. Despite Harper's broad remit, a single recommendation aimed at making the important misuse of market power—section 46—provisions more workable, effective and procompetitive seems to attract nearly all of the media attention and interest group advocacy. Our competition laws must be effective and enforceable in preventing dominant companies misusing their market power to fortify the position or protect their market share by restricting competition and/or drawing new entrants.

The reframing of section 46, as recommended by the Harper review, attempts to align the provision to its core economic objectives, bring the misuse of market power provision somewhat closer towards a principle-based approach, balance the pro-competitive and anticompetitive impacts of conduct both in the short and long term and, in theory, reduce the risk of unintended consequences.

Some argue that the Harper reframing of section 46 will reduce productivity, chill investment and lead to higher prices. The reverse is true. The application of the SLC test captures anticompetitive conduct but also allows firms to gain market share by being more innovative and efficient than their rivals, since this benefits consumers and raises productivity. Innovation is at the heart of competitive conduct. Even where innovation and strategic investments lead to market dominance, the courts and ACCC would not regard that as a lessening of competition.

Misuse of market power cases are rare and, even with the proposed changes to section 46, will continue to be so. Since the turn of the century, neither the full Federal Court nor the High Court have heard scarcely more than a case every two years.

Harper's recommendations focus on the public interest, since healthy competition is what is best for the vitality of our economy and delivers durable benefits for consumers. Is there any alternative superior proposal—one that will deliver durable benefits for consumers, raise our productivity and economic performance, while giving adequate consideration to the concerns of some parties about uncertainty? I do not think so—not at this stage, anyway, from those opposite. If there is, one thing the government would welcome is suggestions from the Labor Party, particularly if they start getting serious about this and start considering the need to implement the Harper review recommendations.

Senator McALLISTER (New South Wales) (16:01): I rise also to take note of the answers to the questions asked by Senator O'Neill to Senator Abetz. As per usual, Senator Abetz's answers do not tell us very much about the subject matter of the question. What they do tell us is a great deal about the dysfunction, the disunity and the disarray that we have all come to expect from the government.

Just to be very clear and in answer to some of the other contributions to the debate, Labor does not support the effects test. I come here really to offer my condolences to the Minister for Small Business, because it cannot be very pleasant being publicly hung out to dry by your Prime Minister. As recently as the beginning of August, Minister Billson was reported in The Australian Financial Review as being absolutely confident that the government was going to
be pursuing this measure. Yet, just this week, it has been kicked into the long grass by the Prime Minister and the Treasurer because they are absolutely terrified about the debate and the division within their own party room.

I also wish to offer my condolences to the business community. Two years ago this government promised that Australia was open for business. Instead, all we have seen is uncertainty, caused by this government's chronic inability to make a decision or, worse, to even produce a stable environment in which the business community can make their decisions.

The issue of the effects test is characteristic of this much broader pattern. On this issue we had concerns. We came out and said so in a very straightforward manner what our concerns were and the community knew what we were about. The PM clearly shares our concerns. However, he has not made a decision one way or the other. He has not commissioned any further inquiries or tried to get any more information and he is not open to debate about the issue in any way at all. Instead, he has delayed the decision. He is unable to make difficult decisions. And we do not just see it on this issue. We see it on the issue of marriage equality where, instead of allowing the party room to make a decision, that issue has also been kicked into the long grass, pushed off into the never-never where 'We might have a plebiscite or a referendum, but we certainly won't deal with it until after the next election.'

Why is it that the Prime Minister seems unable to make a decision? It is essentially because this is a government that is riven by division. There is disunity in the cabinet. How do we know that? We know there is a divergence of views, because members of cabinet speak about them constantly to the media. We hear about it all the time because they tell us. They have leaked conversation after conversation to the national media. They even leaked the talking points which instructed them not to leak to the media but instead to communicate to the media that cabinet was functioning perfectly well.

A government that needs talking points to explain to us that its government is functioning perfectly well is a government that is unable to function at all. It is normal to have different views in a party room and that has been explained to us very carefully by members opposite. But you can expect cabinet ordinarily to back any decision. This Prime Minister clearly cannot trust his cabinet to do even that.

The day after the decision to defer this matter was made by the PM, the Minister for Small Business said to the WA Chamber of Commerce and industry:

And you would have read, I am sure in recent days, I am getting smacked around by trying to get the competition rules right.

Well, the people whom he is getting smacked around by are the people on his own side. He is being smacked around by the Prime Minister, the Treasurer and the Minister for Foreign Affairs.

I say to those opposite but, more importantly, to those people out there in the community that it is time for us to see the grown-up government that we were promised. In the two years that we have had to endure this government, we have not seen anything like it. We have seen division and dysfunction. We have certainly not seen decision making in the public interest.
The government do not stand for anything at all, except for the pursuit of power. They are a government that are not interested in jobs for ordinary people. They are a government that are only interested in their own jobs. *(Time expired)*

Question agreed to.

**Syria**

**Senator WHISH-WILSON** (Tasmania) (16:07): I move:

That the Senate take note of the answer given by the Minister representing the Prime Minister (Senator Abetz) to a question without notice asked by Senator Di Natale today relating to Syria

It is with a heavy heart that I say today how disappointed I am with the response of Senator Abetz to a very important question from Senator Di Natale. Senator Di Natale asked him why parliament cannot have a say and have a robust debate about what appears to many people to be an open-ended conflict, a perpetual war in the Middle East. To suggest that because we question an executive government strategy on the deployment of our armed forces, our service people, that we therefore do not support our defence people is the worst kind of dog whistle politics. Let me make it very clear—

*Senator Canavan interjecting—*

**Senator WHISH-WILSON:** thank you, Senator Canavan, through you, Mr Deputy President—the Greens absolutely support our defence personnel, and that is exactly why we are asking questions in this chamber. I have friends still in the services and I can tell you that they would want someone in parliament asking the right questions, asking to have a debate about the deployment of defence personnel. They would want to know that their parliament was debating this. For Senator Abetz to say that, therefore, we do not support defence personnel because we question the government—if we cannot question in parliament our government's deployment of service personnel, which is one of the most important decisions that any government can make, then where can we? Where will it be questioned? This is the place to do it; this is what we have been elected by the Australian people to do. To use the dog whistle that somehow we do not support people in uniform—this is exactly what we heard 100 years ago in debates on conscription in the First World War. It was the same thing: if you do not support sending Australian soldiers over there you are against defence personnel. In fact, a lot of people back then wanted to protect Australians going off to war because of what was a horrific conflict.

I marched for the first time in my life, when I was a banker in Sydney, against the Iraq war. I did that at that time because the war felt wrong, and 13 years later I am standing in parliament talking about a conflict that has stemmed directly from our illegal invasion of Iraq in 2003. I recently read David Kilcullen's *Quarterly Essay* 'Blood Year', and I recommended that every senator reads that. I raise this for two reasons. David Kilcullen, who was there during the surge, very clearly points out the mistakes, the errors, the follies of that invasion of Iraq. What was very troubling to me was that he then went on to say that the current strategies in place are not working, will not work and could make the situation worse. We all want to get rid of ISIS, every single one of us, especially me. Every Australian wants to see peace in the Middle East and an end to this awful conflict—I think everyone around the globe does—but David Kilcullen raises the point, as have a number of other military experts, that our current strategy is not working and is only making things worse. It is increasing
radicalisation; it is exactly what ISIS wants. We are giving them what they want. What is troubling is that he then goes on to say that because it is not working the solution that is required is boots on the ground. We have heard this from other military experts as well.

Almost a year ago, when we first started bombing in Iraq, Senator Milne stood up in here and said that the Greens were concerned about mission creep and we wanted a debate. We have had mission creep today; we have had official recognition of mission creep. I hope to hell that we will not have to send soldiers into Iraq and Syria next September because of the decision that has been made by our government.

I just want to finish on this note. Senator Abetz feigned outrage that Senator Di Natale questioned the timing of this announcement. Let me make it very clear: this government has politicised national security and this has undermined their credibility. It might just be a coincidence that next week is a by-election and that the Prime Minister's scalp very likely relies on the success of the Liberal Party in that by-election, it might just be a coincidence that these two things have occurred when they have, but, once again, it is our role to ask these questions and to point these things out. If we do not stand up and ask these questions in parliament, then who will? (Time expired)

Question agreed to.

NOTICES

Presentation

Senator Rhiannon and Madigan to move:

That the Senate—

(a) notes that:

(i) urgent action is needed to ensure that Australia does not lose its steelmaking capacity, in the wake of the global steel industry crisis, and

(ii) steel producing nations are responding to the oversupply and dumping of sub-cost steel with a range of strategies that include increasing public procurement, restructuring and emergency safeguards in the form of temporary targeted tariffs; and

(b) calls on the Abbott Government to:

(i) work with the steel industry, unions, businesses and communities to minimise the impact on local jobs and living standards from the worldwide oversupply of steel, and

(ii) immediately introduce allowable World Trade Organization emergency safeguards by way of temporary and targeted tariffs similar to those introduced around the world, including the United States of America, the European Union, India and South Africa, to retain our steel industry.

Senator Waters to move:

That the Senate—

(a) notes, with regret, the resignation of Mr Bernie Fraser as Chair of the independent Climate Change Authority 2 years before the expiry of his 5 year term;

(b) congratulates Mr Fraser on his outstanding service as chair of the board and his contribution to the work of the Authority;

(c) notes that the Authority now no longer has a quorum; and

(d) calls on the Federal Government to:
immediately appoint a replacement chair to ensure that the board is able to function and allow the work of the Authority to proceed,
(ii) abandon its plan to abolish the Authority, and
(iii) stop ignoring the Authority's advice on the need for ambitious pollution reduction targets to safeguard Australians' way of life from dangerous global warming.

Senator Waters to move:
That the Senate—
(a) notes:
(i) the fact that Australia's Pacific Island neighbours are already facing an existential threat from climate change, including catastrophic flooding, more intense cyclones, rising sea levels and salt water contamination of crops and fresh water stocks,
(ii) that in 2015 alone, Vanuatu, Kiribati and Tuvalu have suffered severe flooding, and Cyclone Pam has devastated Vanuatu,
(iii) the Suva Declaration on Climate Change from the Leaders of the Pacific Islands Development Forum and the Smaller Island State Leaders' Port Moresby Declaration on Climate Change, and
(iv) that Mr Abbott's Direct Action policy hands out taxpayers' money to big polluters while allowing them to keep increasing pollution; and
(b) calls on Mr Abbott to show leadership at the Pacific Islands Forum by immediately committing to science-based targets to cut pollution, providing assistance to Pacific Island nations for unavoidable loss and damage caused by climate change, and providing long-term financing for climate change adaptation and solutions for those facing displacement.

Senator McLucas to move:
That the Senate—
(a) notes that Thursday 10 September, is World Suicide Prevention Day and RU OK Day in Australia, and acknowledges that:
(i) the theme for World Suicide Prevention Day is 'Preventing Suicide: Reaching Out and Saving Lives', which is aimed at encouraging people to speak up and reduce the stigma of talking about suicide prevention safely, and
(ii) World Suicide Prevention Day and RU OK Day is an opportunity to build awareness of the support and services available to everyone who has been touched by suicide, and
(b) recognises the great work of the National Coalition for Suicide Prevention to draw attention to this issue, to make a positive impact on the mental health and wellbeing of all Australians and to help build resilient communities that work together to prevent suicide;
(c) notes that:
(i) suicide rates remain unacceptably high, especially among vulnerable groups, including Aboriginal and Torres Strait Islander peoples, young people and people from lesbian, gay, bisexual, transgender and intersex [LGBTI] communities—nearly 2 500 people tragically die by suicide each year, with nearly twice as many Aboriginal and Torres Strait Islander people dying by suicide than non-Indigenous people—and each day, seven people die by suicide in Australia,
(ii) the National Mental Health Commission's final report on the review of mental health programs and services recommends the development of an evidence-based National Suicide Prevention Framework as a priority,
(iii) the Commission's report was handed to Government on 1 December 2014, but was not formally released by the Government until 16 April 2015 after it was embarrassingly leaked, resulting in a 4 month delay in any action in response,

(iv) the sector is becoming increasingly frustrated because of the Government's lack of action on implementing any of the recommendations contained within the National Mental Health Commission's report, and

(v) the mental health sector is facing difficulties because of the lack of funding certainty beyond June 2016, making it increasingly challenging for the sector to employ skilled workers and offer ongoing services to the people who need it most; and

(d) urges the Government to announce its plans for a transformed mental health system which will give certainty and confidence to people living with mental illness, their families and carers, and the organisations that support them in the very near future.

Senator O'Sullivan to move:

That the Senate—

(a) notes that:

(i) the Temporary Work (Skilled) (subclass 457) visa is designed to enable employers to address labour shortages by bringing in genuinely skilled workers where they cannot find an appropriately skilled Australian, and

(ii) many employers, including those in the trade union movement, have utilised this program to address skill shortages in their workforces; and

(b) condemns the short-sighted view of those who label this program as a 'form of slavery' and not a vital tool in improving the productivity of Australian businesses.

Senator Siewert to move:

That parliamentary approval should be required for Australian forces to be deployed to Syria.

Senator Siewert to move:

That the Senate—

(a) notes that:

(i) the Nindji Nindji Aboriginal arts and music festival, the only one of its kind in the Pilbara, has been running in South Headland since 1996, and

(ii) due to funding cuts by the Federal Government the Nindji Nindji festival did not occur in 2015;

(b) acknowledges that:

(i) remaining connected to culture is essential in ensuring wellbeing and positive outcomes for Aboriginal and Torres Strait Islander communities, and

(ii) important cultural events like the Nindji Nindji festival are integral in helping Australia move towards reconciliation; and

(c) calls on the Government to reinstate funding to ensure that this important cultural event occurs in 2016.

Senator Back to move:

That the Senate—

(a) recognises the excellent performance and financial turnaround of the Qantas group;

(b) notes that:

(i) all sectors in the group returned a profit,
(ii) Qantas posted an annual profit before tax for 2014-15 of $975 million,
(iii) Qantas is placing orders for eight new 787-9 long range aircraft,
(vi) shareholders will receive a return of $505 million,
(v) Qantas negotiated new industrial agreements with pilots, and
(vi) the Australian Government’s abolition of the carbon tax saved Qantas $116 million; and
(c) calls on all members and senators in the Australian Parliament to celebrate the achievements of our national carrier and support it into the future.

Senator Lazarus to move:
That the Senate—
(a) notes that:
   (i) Thursday, 10 September 2015, is World Suicide Prevention Day, and
   (ii) this day is an awareness day to provide worldwide commitment and action to prevent suicide;
(b) recognises and commends the organisers of World Suicide Prevention Day, both in Australia and internationally, who are working to bring communities together to:
   (i) reduce the stigma associated with mental health issues,
   (ii) increase the awareness of mental health issues, and
   (iii) constructively work towards eliminating the incidence of suicide;
(c) acknowledges that:
   (i) on average seven Australians commit suicide every day, of which 75 per cent are male, and
   (ii) Queensland has the second highest suicide rate in the country; and
(d) calls on the Government to increase its efforts to assist mental health organisations, government agencies and other service providers to increase public awareness of mental health issues and enhance the scope, delivery and availability of support services to the Australian community to reduce suicide rates across the country.

Senator Muir to move:
That the Senate—
(a) notes that:
   (i) the National Motor Vehicle Theft Reduction Council estimates that 20 passenger and light commercial vehicles are stolen and exported from Australia each week,
   (ii) there are media reports that indicate that there has also been a spike in unrecovered, stolen four-wheel drive vehicles in recent years,
   (iii) terror experts claim that these four-wheel drive vehicles are exported to Turkey and then driven across the border into Syria for use as armoured vehicles by terrorist organisations, and
   (iv) vehicle exporters are not required to provide the Australian Border Force with a clean Personal Property Securities Register report prior to the vehicle leaving the country; and
(b) calls on the Government to:
   (i) require all vehicle exporters to provide the Australian Border Force with a clean Personal Property Securities Register report as a mandatory component of the export process, and
   (ii) direct the responsible authorities to further investigate this problem in the interests of national security.
BUSINESS

Leave of Absence

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (16:12): by leave— I move:

That leave of absence be granted to the following senators:
(a) Senator Cormann for 9 September and 10 September 2015, on account of ministerial business; and
(b) Senator Edwards for 10 September 2015, for personal reasons.

Question agreed to.

COMMITTEES

Reporting Date

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

Community Affairs References Committee—
Availability of cancer drugs in Australia—extended from 9 September to 15 September 2015.
Commonwealth community service tendering processes by the Department of Social Services—
extended from 9 September to 16 September 2015.
Treatment of people with disability in institutional and residential settings—extended from 16 September to 11 November 2015.
Legal and Constitutional Affairs References Committee—circumstances surrounding a letter sent to the Attorney-General—extended from 9 September to 16 September 2015.
Rural and Regional Affairs and Transport References Committee—airport and aviation security at Australian airports—extended from 9 September to 2 December 2015.

The PRESIDENT (16:13): Does any senator wish to have the question put on any of those motions? There being no-one, I now proceed to the next item of business.

MOTIONS

Dementia

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:14): I, and also on behalf of Senators Fifield and Polley, move:

That the Senate—
(a) notes that—
(i) September is Dementia Awareness Month,
(ii) the theme for 2015 is 'Creating a Dementia Friendly Nation', and
(iii) over 342 800 people and their families are living with dementia; and
(b) urges the Federal, state, territory and local governments to show leadership in encouraging Australians to become dementia aware, to develop a better understanding of what it is like for a person to live with dementia, and to create communities where people with dementia are supported to live a high quality of life with meaning, purpose and value.

Question agreed to.
Queen Elizabeth II

Senator SMITH (Western Australia) (16:14): I, and also on behalf of Senators Smith, McKenzie, Day, Bullock, Lindgren, Reynolds, Fawcett, Back, Edwards, Sinodinos, Ruston, Madigan, Fifield, Bushby, Macdonald, Cash, Cormann, Ronaldson, Williams, Bernardi, Canavan, O'Sullivan, Johnston, Fierravanti-Wells, Ryan, Seselja, McGrath, Brandis, Heffernan and Abetz, move:

That the Senate—

(a) notes:
   (i) that 9 September 2015 is the day on which Her Majesty Queen Elizabeth II, Queen of Australia, becomes the longest reigning Sovereign in history, and
   (ii) the vital and enduring role that Her Majesty has played in Australia's remarkable democratic and constitutional stability during the years of her reign; and

(b) extends to Her Majesty its continuing appreciation for the gracious manner in which she continues to fulfil her duties as Queen of Australia, which provides an inspiring example of dedication to service that unites all Australians.

Question agreed to.

Brock, Mr Peter, AM

Senator MUIR (Victoria) (16:15): I move:

That the Senate—

(a) notes that:
   (i) 8 September 2015 marked the 8th anniversary of the death of Mr Peter Brock AM, and
   (ii) Peter Brock AM:
      (A) was made a Member of the Order of Australia in 1980 for his services to motor racing,
      (B) also known as 'The King of the Mountain', still holds the record for the most number of Bathurst 1000 wins, amongst other accolades, and
      (C) was a strong advocate for road safety as well as motor sport; and

(b) acknowledges this anniversary and the many achievements of Peter Brock AM.

Question agreed to.

Electricity Costs

Senator LAZARUS (Queensland) (16:16): I move:

That the Senate—

(a) notes the rising cost of electricity for consumers across Australia, and the resultant financial pressures being placed on Australian households and businesses;

(b) acknowledges that the Australian Energy Regulator (AER) is currently negotiating with power network companies to determine electricity pricing for the next 5 years in Queensland and South Australia;

(c) expresses concern at the suggestion that electricity costs may double in Queensland, and rise significantly in other states, in response to attempts by power network companies to exaggerate financing, operating and investment costs at the expense of households, small business, irrigators and industry;
(d) calls on the Government to review the role of the AER in regulating Australian energy markets and networks and the extent to which the AER is promoting outcomes that are in the short and long term interests of consumers; and

(e) urges the Government to proactively ensure that the AER has the appropriate resources, authority and charter to negotiate electricity arrangements, which appropriately and fairly take into account the interests of consumers.

I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LAZARUS: The price of electricity in this country is extremely high compared to other countries. In fact, the price of electricity is increasing significantly every year. Not only are Australians finding it hard to pay their electricity bills but power costs are hampering business growth. The people of Australia are at the mercy of greedy, profit-driven power companies. The Australian Electricity Regulator is supposed to be managing pricing and looking out for the best interests of Australians, but all we are seeing is soaring power prices. In Queensland, the Queensland government owned electricity companies are fighting their regulator to increase pricing, which may double the cost of electricity for Queenslanders over the next five years. The rubbish must stop and something must be done. This motion calls on the government to act. We need to start putting consumers first.

Senator CANAVAN (Queensland) (16:17): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator CANAVAN: The government does not oppose this motion, but I would like to clarify a few issues. The AER has issued draft determinations that will reduce electricity prices in New South Wales, the ACT, South Australia and Queensland. The determinations are now being challenged by certain power network companies. The AER is a statutory authority and its decisions are subject to judicial review by the Federal Court and not by the government. The AER is not negotiating, and does not negotiate, its determinations. However, we note that in recent years the AER has been provided with new rules and tools, and we believe that these changes are now starting to deliver. The government also notes that the AER has been subject to two reviews in the past year: first, the Harper competition policy review recommended that the functions of the AER be rolled into the new access and pricing regulator; and, second, this year the COAG Energy Council is reviewing the governance of the national electricity market, including the government's arrangements of energy market bodies such as the AER. The government will consider these reviews and respond in due course.

I welcome Senator Lazarus's concern about high electricity prices and I look forward to him supporting the government opposing higher RETs and carbon taxes, which will increase electricity prices in this country.

Question agreed to.

DOCUMENTS

Centrepay

Order for the Production of Documents

Senator MOORE (Queensland) (16:18): At the request of Senator Cameron, I move:
That there be laid on the table by the Minister for Human Services, no later than noon on 14 September 2015, all documents produced by the office of the Minister for Human Services and the Department of Human Services containing information pertaining to the Centrepay Policy and Terms which came into force on 1 July 2015.

Question agreed to.

MOTIONS

Custodial Notification Service

Senator LINES (Western Australia) (16:19): I move:

That the Senate notes:

(a) the success of the New South Wales Custodial Notifications Service (CNS) in dramatically reducing Aboriginal deaths in custody in that state;
(b) the delay of the Abbott Government to ensure ongoing funding of the successful CNS, and a lack of progress on implementation of a CNS in Western Australia; and
(c) the commitment given by Western Australia Labor at their recent State Conference to fund and implement a CNS to ensure Aboriginal people who are taken into custody have immediate access to appropriate legal assistance.

I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LINES: The Custodial Notification Service has been in operation in New South Wales and the ACT since 2000. It was established out of the royal commission into Aboriginal deaths in custody. It has been the single reason there has not been one death of an Aboriginal person in a police cell in New South Wales since then. The Abbott government cut the CNS funding—its paltry half a million dollars—but, after very strong protest, restored it for just six months at the 11th hour.

In answer to a question on notice from me to Minister Scullion about the likelihood of the CNS being rolled out nationally, he responded by saying, 'It's not under active consideration.' This is a preventative service and should be rolled out nationally. Instead, the Abbott government continues to play with the lives of Aboriginal and Torres Strait Islander people who find themselves in police cells.

Question agreed to.

Australian Defence Force

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (16:21): I seek leave to amend general business notice of motion No. 839 by amending paragraph (c).

Leave granted.

Senator O'SULLIVAN: I move the motion as amended:

That the Senate notes:

(a) the important role that Australian service men and women play in humanitarian, disaster relief, peacekeeping and aid provision throughout our region;
(b) that the Australian military’s success on operations is founded in excellence in training and preparation—a large part of this is regular exercises that test our military’s ability to respond to various situations; and
(c) that unlawful disruption of the ongoing training and preparation of our military with exercises that test the crisis-action planning and contingency response capacity of our armed forces, such as Exercise Talisman Sabre and Exercise Hamel, jeopardises the ability of our service men and women to prepare for the challenges they confront in representing our national interests.

Question agreed to.


The PRESIDENT: Leave is granted for one minute, Senator Whish-Wilson.

Senator WHISH-WILSON: I just wanted to point out to Senator O'Sullivan the irony in this motion: that 70 years ago Australians fought side by side with Americans through the campaign in the Pacific—and we have had a defence relationship ever since. The reason we were fighting alongside American soldiers, as we have in other overseas campaigns, was for democracy, for freedom of speech and for the right to protest. That is why we went to war against regimes that would have supressed the right to freedom of speech. It is ironic that today we have a motion that is attempting to wedge the Greens on whether we support our Defence personnel—and we do support our Defence personnel—while at the same time as they are trying to bash protesters, who have a democratic right to protest for peace. That is why we went to war. (Time expired)

Newcastle City Council: Investment

Senator RHIANNON (New South Wales) (16:22): I move:

That the Senate—

(a) notes that:

(i) Newcastle City Council recently passed an update to its investment policies that notes the Council's preference for environmentally and socially responsible investment, and notes reports that this policy will see the Council shift its investments away from coal and fossil fuels,

(ii) the decision has been heavily criticised by the Minister for Industry and Science (Mr Macfarlane), despite warnings from scientists that Australia must act to stave off catastrophic climate change, and

(iii) an opinion poll conducted after the Council's decision found that only one in four Newcastle residents think investing in coal is financially safe; and

(b) congratulates the Newcastle City Council on updating its investment policy and joining councils across New South Wales, such as Lake Macquarie City Council, Willoughby Council, the City of Sydney, Marrickville Council, Leichhardt Council and Lismore City Council, in adopting policies regarding environmentally and socially responsible investment.


The PRESIDENT: Leave is granted for one minute, Senator Fifield.

Senator FIFIELD: The decision by the Labor members of the Newcastle City Council is extraordinarily irresponsible, short-sighted and indulgent. Coal is the basis of the entire Newcastle and Hunter Valley economy as well as the source of thousands of jobs and billions of dollars in export earnings for Australia. It should be noted that the decision by the Newcastle City Council was led by the Labor members on council, which begs the question of where the federal Labor Party stands on this issue. Will they publicly condemn a decision made by their own members that will jeopardise the jobs of the thousands of workers of the
Hunter Valley and the wider Newcastle area or will they, by their silence, support the Greens’ economy-destroying and jobs-destroying policies?

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

The Senate divided. [16:28]

(The President—Senator Parry)

Ayes ......................10
Noes ......................41
Majority ...............31

**AYES**

Di Natale, R  
Lazarus, GP  
McKim, NJ  
Rice, J  
Waters, LJ  
Hanson-Young, SC  
Ludlam, S  
Rhiannon, L  
Sievert, R (teller)  
Whish-Wilson, PS

**NOES**

Back, CJ  
Brown, CL  
Bushby, DC (teller)  
Canavan, MJ  
Collins, JMA  
Day, RJ  
Fawcett, DJ  
Fifield, MP  
Gallagher, KR  
Leyonhjelm, DE  
Lines, S  
Marshall, GM  
McEwen, A  
McKenzie, B  
Muir, R  
O’Sullivan, B  
Peris, N  
Ruston, A  
Smith, D  
Urquhart, AE  
Williams, JR  
Birmingham, SJ  
Bullock, JW  
Cameron, DN  
Colbeck, R  
Dastyari, S  
Edwards, S  
Fierravanti-Wells, C  
Gallacher, AM  
Ketter, CR  
Lindgren, JM  
Ludwig, JW  
McAllister, J  
McGrath, J  
McLucas, J  
O’Neill, DM  
Parry, S  
Reynolds, L  
Ryan, SM  
Sterle, G  
Wang, Z

Question negatived.

**DOCUMENTS**

**Consideration**

The government documents tabled today and general business orders of the day Nos 1 to 6 relating to government documents were called on but no motion was moved.
COMMITTEES

Scrutiny of Bills Committee

Report


Ordered that the report be printed.

Parliamentary Joint Committee on Human Rights

Report


Ordered that the document be printed.

Senator CANAVAN: I move:

That the Senate take note of the report.

I seek leave to have the tabling statement incorporated into Hansard.

Leave granted.

The statement read as follows—

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

The committee's report examines the compatibility of bills and legislative instruments with Australia's human rights obligations. This report considers bills introduced into the Parliament from 17 to 20 August 2015 and legislative instruments received from 7 to 13 August 2015. The report also includes the committee's consideration of a response to a matter raised in a previous report.

Of the 11 bills examined in this report, seven are assessed as not raising human rights concerns and four raise matters in relation to which the committee will seek a response from the legislation proponents. The committee has concluded its examination of one bill, has deferred its consideration of one bill and continues to defer a number of instruments.

This report follows the committee's usual scrutiny approach to assessing whether a bill or instrument is compatible with human rights, as set out in the seven core international human rights treaties to which Australia is a party.

Most human rights are able to be limited if there is a proper justification for doing so. The committee's analytical framework therefore focuses primarily on identifying if a proposed measure might have the effect of limiting the enjoyment of a specific right and, second, whether any such limitation may be regarded as permissible or justified.

The vast majority of bills and instruments considered by the committee do not raise human rights concerns because they either do not engage any human rights or in fact promote rights.

Of the legislation that may or does limit human rights, the committee is often able to assess the limitation as justifiable under international human rights law. In these cases, the committee generally reports on the legislation simply by identifying it as not giving rise to human rights concerns.

The committee's approach thus focuses on those bills and instruments which raise human rights concerns and which have not been adequately addressed in the statement of compatibility.
These remarks I hope draw attention to the great importance of ensuring that statements of compatibility for bills and instruments provide considered and evidence-based assessments of how any potential limitations of human rights may regarded as justified.

Indeed, in most cases that the committee determines it is necessary to write to a legislation proponent, it is invariably because the statement of compatibility accompanying the legislation does not provide the committee with sufficient information for it to fully assess the human rights compatibility of the legislation.

For the benefit of those charged with the task of preparing statements of compatibility, I would emphasise the importance of clearly setting out the objective of the legislation and the manner in which human rights have been considered when framing the legislation. This is crucial when, in order to achieve a particular objective, certain rights are to be limited.

The committee expects that where rights are limited the statement of compatibility will demonstrate that the limitation is rationally connected to, which is to say will be effective to achieve, its stated objective, and explain whether the limitation is proportionate to that objective. The statement should also set out any safeguards that will be applied to ensure that any limitations on human rights are implemented in the least restrictive form.

With this context, I note that some of the statements of compatibility accompanying the bills considered in this report have fallen short of the committee's expectations. In particular, a number of these provide simple assertions with no supporting evidence. As one example, the statement of compatibility for the Social Security Legislation Amendment (Debit Card Trial) Bill 2015 provided no empirical evidence of how the proposed measures are likely to be effective in achieving their objective. This is necessary due to the fact that income management schemes, while clearly well-intended, necessarily involve limitations on a number of human rights, such as the right to a private life and the right to equality and non-discrimination.

As in all cases, the committee will request, in a spirit of constructive dialogue, further information from the sponsor of the legislation that supports their assessment that the measures propose only justifiable limitations on human rights.

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

With these comments, I commend the committee's Twenty-seventh Report of the 44th Parliament to the House.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (16:33): I wish to take note of the Human Rights Committee report and in particular to take note of their comments on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015. I would definitely encourage members to have a very good look at this report because it makes some very important comments on the debit card trial. The report points out some very significant issues, and says:

Restricting how a person can access, and where they can spend, their social security benefits, interferes with the person's right to personal autonomy and therefore their right to a private life. In addition, being able to only access 20 per cent of welfare payments in cash could have serious restrictions on what a person is able to do in their private life. There are many instances where a person would only be able to use cash to purchase goods or services, such as at markets, for public transport, to give to family members, services which require cash payments, buying second-hand goods and at stores that have minimum purchase requirements. For those on the single rate of Newstart, restricting the cash availability of the allowance to 20 per cent would mean that just over $50 is available per week to be spent in cash. This restriction undoubtedly impacts on how a person is able to conduct their private life
and represents the extension of government regulation into the private and family lives of the persons affected by these trials.

It goes on to say:

As the UN Special Rapporteurs on Extreme Poverty and Human Rights and Rights of Indigenous Peoples have said in relation to the provision of social security benefits:

'When States impose excessive requirements and conditions on access to public services and social benefits, and severe sanctions for noncompliance, such measures threaten welfare beneficiaries' enjoyment of a number of human rights, including the right to … be free from arbitrary or unlawful State interference in their privacy, family, home or correspondence.'

……

It is noted that the measure, in quarantining a person's welfare payments and restricting where that quarantined payment can be spent, is very similar to the existing program of income management.

It goes on to talk about income management and quoting the fact that there is no evidence on achieving the intended outcomes of income management, and says:

Rather than promoting independence and building skills and capabilities, it appears to have 'encouraged increasing dependence upon the welfare system', and there is no evidence to indicate its effectiveness at the community level or that it facilitates long-term behaviour change.

The committee notes that it is conducting an investigation into stronger futures and it plans to report on that later this year. The committee report also says:

The committee's assessment of the restrictions on welfare payments against article 17 of the International Covenant on Civil and Political Rights (right to a private life) raises questions as to whether this measure is justifiable.

It goes on to say:

The committee therefore seeks the advice of the Minister for Social Services as to:

- whether there is a rational connection between the limitation and that objective, in particular, whether there is evidence to indicate that restricting welfare payments in this way is likely to be effective in achieving the stated aims of reducing hardship, deprivation, violence and harm, encouraging socially responsible behaviour and reducing the likelihood of harassment and abuse; and

- whether the limitation is a reasonable and proportionate measure for the achievement of that objective, including that there are appropriate safeguards in place, including monitoring and access to review.

The report continues:

The committee also seeks the minister's advice on these questions regarding the right to social security and the right to equality and nondiscrimination set out below …

The report goes on to talk about issues around equality and nondiscrimination, pointing out:

The statement of compatibility—

the government's statement about the bill's compatibility with human rights—

states that the cashless welfare arrangements trial will not be applied on the basis of race or cultural factors. Rather, trial locations will be chosen based on objective criteria—

and, as an aside here, I will just say that at the moment it is in Ceduna and there is talk about it being in Kununurra, quite clearly because of Aboriginal communities—
such as high levels of welfare dependence and community harm, as well as the outcomes of comprehensive consultation with prospective communities.' As such, the statement of compatibility says that the trial is not targeted at people of a particular race. It also states that the trial will not detract from the eligibility of a person to receive welfare, nor will it reduce the amount of a person's social security entitlement. The statement of compatibility makes no reference to whether the measure may impact disproportionately on women or people with a disability.

The report goes on to say:

It is difficult to say whether this measure will have a disproportionate impact on people of a particular race as the locations for the trial are not set out in the bill but are to be established by a legislative instrument. However, as the statement of compatibility acknowledges, these amendments are in response to a key recommendation made by Mr Andrew Forrest's Review of Indigenous Jobs and Training. This review examined options to help 'end the disparity between Indigenous Australians and other Australians'.

In addition, the Parliamentary Secretary to the Prime Minister's Second Reading speech stated that Ceduna in South Australia will be the first site under the trial to commence, and that advanced discussions were under way with leaders in the East Kimberly region to trial the arrangement. A high proportion of the population of Ceduna and the East Kimberley region are Indigenous, many of whom are receiving social security benefits. It therefore appears likely that the measures may disproportionately impact on Indigenous persons, and as such may be indirectly discriminatory unless this disproportionate effect is demonstrated to be justifiable. This has not been explored in the statement of compatibility.

Here we have the Parliamentary Joint Committee on Human Rights raising very serious concerns about the debit card trial bill and the healthy welfare card. These are very serious concerns. I must agree with the issues that the committee have raised. I believe that there are further concerns, but at the heart of the concerns is: is this measure actually going to help people? If we look at income management—and we had this debate on Monday—no, it is not. It is, I think, going to impact on people's human rights.

I await the minister's response, as I will be fascinated to see him explain how people's human rights are not going to be impinged upon by the so-called healthy welfare card.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

Treaties Committee

Report

Senator CANAVAN (Queensland) (16:41): On behalf of Senator Fawcett, I present the 151st report of the Joint Standing Committee on Treaties, Treaty tabled on 28 October 2014, and I seek leave to incorporate the tabling statement in Hansard.

Leave granted.

The document read as follows—


Joint Standing Committee on Treaties

For tabling on 8 September 2015

Mr President, today I present Report 151 for the Joint Standing Committee on Treaties.
Mr President, Report 151 deals with the Agreement between the Government of Australia and the Government of India on Cooperation in the Peaceful Uses of Nuclear Energy.

The Agreement offers the potential for Australia to become one of the world leaders in supplying fuel for low-carbon emission electrical power in expanding economies.

While there are considerable benefits for Australia and India, the Agreement is not without risk. The Committee has taken the time to consider those risks carefully, and has made a number of recommendations.

But first, Mr President, I will discuss the benefits. The Agreement has the potential to double the size of the Australian uranium mining industry, adding $1.75bn to the Australian economy and doubling employment in uranium mining and export.

These benefits will occur mostly in rural and regional areas of Australia.

For India, the Agreement will help with the goal of growing electricity generation from a base of 408kWh per capita per year in 2001 to 5,300kWh per capita per year in 2052.

It will also provide a reliable supply of fuel, which is important to India's energy security.

Mr President, India is one of a small number of nuclear armed countries that have not signed the Nuclear Non-Proliferation Treaty. This is a barrier to nuclear cooperation, as the NPT has effectively limited nuclear proliferation.

However, given India's strategic situation, it is not realistic to expect India to dismantle its nuclear arsenal.

The Agreement represents a new, and not uncontroversial, approach to non-proliferation - treating India as if it were a party to the NPT. That is, India can obtain uranium if it meets the nuclear safety and security standards expected of other nuclear armed states.

Mr President, the Committee heard in evidence that many NPT countries object to this new approach.

If the new approach is going to work, India needs to make concrete non-proliferation advances to calm the fears of NPT countries.

To that end, the Committee recommends that Australia commit significant diplomatic resources to encouraging India to become a party to the Comprehensive Test Ban Treaty and to negotiate a fissile material cut-off treaty.

The Committee also recommends the Australian Government consider facilitating the negotiation of a nuclear arms limitation treaty for the Indian subcontinent region.

Mr President, the Committee is concerned about flaws in India's nuclear regulatory arrangements identified by the Indian Auditor General and the International Atomic Energy Agency.

The regulatory flaws are enough of a concern to the Committee for it to recommend that no Australian nuclear fuel be sold to India until they are addressed.

Mr President, the Committee also examined a number of concerns with the Agreement itself.

Many inquiry participants are concerned that Australian nuclear material in India may not be properly accounted for.

The accounting mechanisms for exported Australian nuclear materials are part of confidential Administrative Arrangements.

To ensure proper accounting of Australian nuclear material in India, the Committee held a private briefing with the Director-General of the Australian Safety and Non-Proliferation Office to discuss the matter.
The Director-General was able to say that the Administrative Arrangement negotiated with India would allow him to report the disposition of Australian nuclear material in India, as required by the Nuclear Non-Proliferation (Safeguards) Act of 1987.

Based on this advice, the Committee trusts that Australian nuclear material can be tracked and accounted for.

Finally, experienced legal practitioners who participated in the inquiry appear to have differing interpretations of a couple of aspects of the Agreement, leaving the Committee unable to determine which interpretation was correct.

The Committee has recommended in each case that the Australian Government outline the legal advice it has received.

Mr President, having regard to these recommendations, the Committee considers that binding treaty action can be taken.

Mr President, I would like to thank the Australian Government for its patience while the Committee undertook the inquiry, and I would also like to thank the engaged and experienced participants to this inquiry.

Mr President, on behalf of the Committee, I commend the Report to the Senate.

I move:

That the Senate take note of the report.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:41): I take note of the report and I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Public Accounts and Audit Committee Report

Senator CANAVAN (Queensland) (16:42): On behalf of the Chair of Joint Committee of Public Accounts and Audit, I present the committee's report No. 450, Annual report 2014-15, as well as executive minutes on various reports, and I move:

That the Senate take note of the report.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

Education and Employment Legislation Committee Membership

The ACTING DEPUTY PRESIDENT (Senator Dastyari) (16:42): The President has received a letter requesting changes to the membership of a committee.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (16:42): I move:

That Senator Urquhart replace Senator Lines on the Education and Employment Legislation Committee from 19 to 23 October 2015, and Senator Lines be appointed as a participating member.

Question agreed to.
BILLS
Water Amendment Bill 2015

First Reading
Bill received from the House of Representatives.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (16:43): I move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Second Reading
Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (16:43): I move:
That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.

The speech read as follows—
WATER AMENDMENT BILL 2015

The Water Amendment Bill continues and strengthens the Abbott Government's commitment to Murray-Darling Basin communities, businesses and the environment. The Coalition has always understood that sound water management, and the required water reforms, are critical in the Australian climate and they continue to be a high priority today, as the Bureau of Meteorology is forecasting a drier El Nino period ahead.

The Howard Government developed and drove the implementation of the National Water Initiative from 2004. A decade on, under the Abbott Government, we continue these endeavours and we seek to enshrine these reforms well into the future.

Our vision for water reform in Australia is very clearly founded in a triple bottom line outcome. We understand that the focus must be on the social, economic and environmental benefits equally. We will not achieve optimal outcomes through the Basin Plan without this triple bottom line focus.

Our Government has committed, since 2012, to support and implement the Basin Plan in full and on time, recovering water for the environment to maintain a healthy river system, while enabling our agricultural sectors to be robust and productive, helping to develop and maintain viable rural communities.

As I've travelled through the Basin, the issue that has been raised most often is the need for greater certainty for communities and farmers, certainty for their businesses and certainty for the environment. Our investment in the future of a sustainable agricultural sector underpins our commitment to the Basin Plan environmental outcomes and to farming communities.

The Abbott Government is committed to delivering the Basin Plan.

We are delivering on the environmental needs and as I have said in this place before, our Government is investing over $2.5 million per day to 2019 in the future sustainability of irrigated agriculture. This is our commitment to our environment and communities in the Basin.
I go on about this point at length because the biggest issue we face in implementing the Basin Plan is to ensure that it achieves win-win outcomes – all members in this place have an obligation to get this right.

The Basin Plan represents the culmination of more than two decades of water reform, two decades of bipartisanship. To ensure the prosperous future of our communities we need to ensure that the health of the environment is sustainable for the long term and we need to provide certainty to all community sectors in the Basin, for generations to come.

To achieve this aim, we have made a commitment to cap water purchases to "bridge the gap" under the Basin Plan to 1500 gigalitres across the Murray-Darling Basin. Our focus for the remaining water recovery task is focused on infrastructure upgrades, efficiency projects and environmental works and measures.

This will ensure enduring benefits for both the environment and our rural and irrigation communities. It is the hard-working men and women and their families and businesses in the Basin that we have listened to and consulted with when coming to this decision. The Basin itself is a precious resource, as are the many who live and work in it.

I have spent the past five months travelling almost the full length of the Basin, meeting a wide range of people, who all hold a wide range of views on how we best manage the needs of the Basin.

However, it doesn't matter whether they are farmers, environmentalists, indigenous elders, fishermen, the local car dealer, bank manager or cafe owner or tourism operators, the common message is that they want to live in a healthy environment and they also want certainty for their community.

While the Basin Plan deals with the high level environmental targets, each individual and each community is doing what they can to improve the health of the environment that they live in. There are environmental groups who continue to advocate for an improved environment and who I have seen working with Catchment Management organisations to improve riverine and wetland vegetation, which in turn provides important habitats for fish and wildlife.

There are committed and engaged indigenous groups that want to see outcomes for their communities that deliver on their responsibilities as traditional land managers. They continue to work with the MDBA and the CEWH to achieve better environmental outcomes that align with their cultural heritage.

And in many in cases it's the farmers and irrigators themselves who are undertaking revegetation works on their farms as part of the on-farm modernisation project.

In most part, what we see are community-based organisations who have come together to deliver local outcomes for the environment, who have pride in their native flora and fauna.

However, we must remember that these communities have emerged over the past 100 years on the back of a strong agricultural sector; they understand the need for a change in agricultural water management, but ask that we support them in this transition to improved overall management of our Basin resources.

I've visited dairy farmers in Shepparton and rice farmers in Deniliquin and Leeton. I've seen cotton growers in Dirranbandi, Goodiwindi and Griffith, citrus growers in Renmark and grape growers in Mildura, all the way down to the Lower Lakes, where I met a local fisherman. In all of these places there is a common message – they want certainty for their community and their environment.

What I've seen in the places I've visited in the Basin is how our investment in water infrastructure projects is having positive long-term outcomes for rural communities and their businesses.

Through improved irrigation delivery infrastructure, we are seeing more opportunities for Basin farmers to get water to their farms with fewer losses along the way. Once water gets to the farm gate,
the benefits of Commonwealth investment in on-farm efficiency programs has changed the nature of irrigation farming substantially, to a precise and highly technical business.

Farmers aren’t using the same practices they employed in the 1950s. The technological advances and improvements that are now commonplace are innovative and outstanding, and a credit to the adaptability and ingenuity of the Australian farmer. Increased efficiency for water delivery and a strong understanding of the best way to apply water to a crop at the optimal time, is reducing the water required per hectare, while continuing to increase productivity. As a nation we should be proud.

During my discussions with local farmers in southern NSW, I saw how investment in laser levelling of land has increased crop yield and resulted in the more efficient use of water. Farmers are able to control their watering systems by remote control, rather than getting up throughout the night to turn the water on and off. This is a huge benefit for families and for overall community health. It’s the perfect example of a triple bottom line outcome.

In line with community support for infrastructure programs we know that completed projects have demonstrated improved productivity benefits such as increased crop rotation and diversification, water use efficiencies, reduced maintenance and improved soil and weed control management. Some projects have achieved greater than anticipated water savings, with these benefits retained by irrigators to improve their farm productivity further.

Not only is farm productivity and well-being improved from these projects, but with the increased efficiency, water savings are able to be recovered for the environment to deliver water to wetlands and environmental assets throughout the Basin.

We are also focusing our infrastructure investment to our environmental assets and applying the principles of efficient water use to maximise environmental outcomes and our environmental water managers are achieving real benefits for environmental health.

Additionally, the broader community is also benefitting from these projects, as much of the construction work is involving local contractors and regional business, spreading the benefits of the investment through the Basin.

The Bill also has provisions for expanding the range of efficiency programs available under the Water for the Environment Special Account, which provides for an additional 450 gigalitres of water for the environment, to include investment in upgrading irrigation delivery networks and other off-farm infrastructure, enabling the Commonwealth to deliver future, strategic investment in the Basin and additional environmental water and improved environmental outcomes.

The certainty this 1500 gigalitre cap will provide will work in harmony with our investment in infrastructure. We have already seen very good results from both off-farm and on-farm infrastructure projects.

More than 10,000 individual irrigators across the Basin are benefitting from infrastructure renewal and upgrades and the returns have already exceeded the expected savings of 600 gigalitres towards the task of bridging the gap.

Since its release in June last year, this Government’s Water Recovery Strategy for the Murray-Darling Basin has provided a framework for water recovery to bridge the gap to the Sustainable Diversion Limits set out in the Basin Plan. It provides an overview of the Murray-Darling Basin reform process and the key steps to be undertaken to reach major milestones for Basin Plan implementation between 2014 and 2024.

It’s been two and a half years since the Basin Plan became law and the Australian governments have secured over 1,961 gigalitres in long term average annual yield of surface water in the Basin.

This represents more than two thirds of the 2,750 gigalitres of the surface water recovery target set out in the Basin Plan to bridge the gap to the Sustainable Diversion Limits, more commonly referred to as SDLs.
To bridge the remaining gap however will not be a simple task and we understand the challenges in recovering the remaining water. With our focus on infrastructure investment programs, water purchases will progress at a significantly slower pace than in the past, and the focus on strategic water purchase opportunities will help bridge the gap to surface water SDLs to 2019.

Through the Water Recovery Strategy, we have outlined our focus on infrastructure and efficiency projects, but we have also continued to pursue strategic and targeted purchase opportunities. We know that to achieve the full implementation of the Basin Plan a number of water recovery methods will be required.

I want to state on the record that this Bill in no way diminishes the Abbott Government’s commitment to implementing the Basin Plan. I have heard some concerns that this cap will impede water recovery efforts and prevent the achievement of the maximum environmental outcomes.

Our commitment to the 1500 gigalitre cap was first announced in 2012 when the Basin Plan was made, a commitment we made to the communities of the Basin; our continued support of the 1500 gigalitre cap was given effect in the Water Recovery Strategy for the Murray-Darling Basin, released in June 2014.

I was pleased to announce with my Ministerial colleagues, Ministers Hunt and Joyce on March 16 this year that we would move to legislate the cap and deliver the commitment we had made to achieve a triple bottom line outcome for the Basin Plan. The introduction of this Bill is the culmination of this journey, which enshrines the 1500 gigalitre limit on surface water purchases by the Commonwealth in legislation, through an amendment to the Water Act.

The state Government’s in the Murray-Darling Basin also play an important role in delivering the Basin Plan and we will continue to work with them to deliver water recovery projects, environmental works and measures and the outcomes of the Sustainable Diversion Limit Adjustment Mechanism.

We have a good history of working together in the Basin to deliver environmental water reforms; the Living Murray Program is a substantial group of projects that are evidence of a shared commitment to delivering environmental outcomes. We will continue to work with all Parties to ensure that the triple bottom line continues to address all three aspects – social, economic and environmental.

The cap on water purchases complements the focus on water recovery for the environment through on-farm and off-farm infrastructure investment and efficiency projects. The Coalition Government is investing $2.5 million per day to 2019 into the future sustainability of irrigated agriculture, while delivering on the important outcomes for the environment and Murray-Darling Basin communities and we continue to work with the states to achieve this.

Our commitment is to bridge the gap in a careful and measured way; ensuring practical steps are taken to deliver a sustainable outcome for the economy, for Basin communities and for the environment. We believe that healthy rivers and healthy communities should be complementary, not contradictory.

I will now turn to the details of the Bill.

Put simply, the Bill will establish a new Part in the Water Act to give effect to the 1500 gigalitre limit on all surface water purchases within the Murray-Darling Basin that contribute to bridging the gap.

The intent is to capture water purchased directly by the Commonwealth, which occurs predominately through open tender purchase rounds, and not water recovered through irrigation infrastructure efficiency upgrades, water sales by states or those programs which are the result of irrigation network rationalisation and reconfiguration projects funded or partly funded, by the Commonwealth.

In addition, it does not include purchases made by the Commonwealth Environmental Water Holder, or those made using funds from the Water for the Environment Special Account, as these purchases are different from the intent of the water purchasing programme.
This 1500 gigalitre limit on water purchasing is aligned with the recovery of water to bridge the gap in line with the implementation of the Basin Plan and will remain in place until the Basin Plan is next reviewed.

This will provide confidence to the Basin irrigation industry and communities that the cap will be in place for the term of the Basin Plan, delivering the certainty that is very much needed by the communities of the Basin and also ensures that the benefits from ongoing investment in infrastructure-based water recovery are continued and realised.

The Department will ensure that all water recovery is very clearly, publicly and regularly reported, providing transparency on the purchases contributing to the 1500 gigalitre limit.

The Bill will also amend the Murray-Darling Basin Plan 2012 (the Basin Plan) to provide increased flexibility and opportunities to deliver the recovery of 450 gigalitres of water through efficiency measures funded under the Water for the Environment Special Account.

Efficiency measures improve the environmental outcomes under the Basin Plan by enabling the recovery of additional water for the environment, in line with the requirement to achieve neutral or improved social and economic outcomes.

This amendment provides for the participation of consumptive water users in projects that recover water through works to improve water use efficiency off-farm. There is strong support within industry for further investment is such measures. This amendment also delivers on the Government's commitment to deliver the Basin Plan to the full extent, with a predominate focus on infrastructure investment.

This legislation delivers triple bottom line outcomes for Basin communities. The Abbott Government is listening to all stakeholders and there is now an opportunity for the opposition to work with us and support this Bill to ensure our Basin communities get the win-win outcomes to ensure environmental and community sustainability. We will continue to work with all states to deliver the outcomes of the Basin Plan to the fullest extent possible.

The Abbott Government is strongly committed to the Basin Plan and the substantial water reform agenda and we will implement the plan in a manner that ensures we can have healthy communities and productive farms working alongside a healthy river system.

This Bill delivers on our commitment to deliver a Basin Plan that addresses the social, economic and environmental needs of the Basin.

I want to thank the opposition, in particular Shadow Minister for the Environment Mark Butler, for the good faith in which they have entered into discussion on the Bill.

This Bill is being introduced today to provide certainty to the community but, as a sign of this good faith, we will allow this bill to remain in this place to allow for discussion and consultation with states, stakeholders and members of this Parliament.

I commend the Bill to the Senate.
Debate adjourned.

Social Services Legislation Amendment (No. 2) Bill 2015
Returned from the House of Representatives

Message received from the House of Representatives agreeing to the amendments made by the Senate to the bill.
Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015
Second Reading

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

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (16:44): I was indicating to colleagues before the interruption that, under the Growing Jobs and Small Business package, there will be additional support options for young people with a mental illness, as well as young refugees and other vulnerable young migrants. There will also be a number of trials to provide intensive support to disadvantaged job seekers who have multiple barriers to work. These additional supports will be complemented by services through jobactive, which include work experience and better access to wage subsidies. But, most importantly, this measure will only apply to stream A job-ready individuals—that is, someone who resides in a labour market region, with good employment opportunities, and who has reasonable language, literacy and numeracy skills and recent work experience.

A further 2015 budget measure in the bill will cease the Low Income Supplement from 1 July 2017. The measure will cease a supplement that has a very low take-up rate and is administratively highly complex. Indeed, service delivery costs in administering this payment far exceed the financial benefit accrued by the eligible individual. Many of those who qualify for the payment will continue to receive the energy supplement, with their family tax benefit payment.

The bill also takes the opportunity to reintroduce some amendments relating to indexation that are currently before the Senate. The first of these indexation amendments will maintain at level for three years the income-free areas for all working-age allowances, other than student payments and parenting payment single. The start date for this was to have been 1 July 2015. The second amendment will maintain at level for three years the income-free areas and other means test thresholds for student payments, including the student income bank limits, with a new start date of 1 January 2016. By not indexing thresholds, some customers will not receive increases to payments that would otherwise have occurred. Payments will not be reduced unless a customer's circumstances change, such as their income increasing in value. These measures will slow growth in social security expenditure.

I want to touch on a couple of matters which were canvassed in the contributions of some colleagues, particularly having cited experience in New Zealand, where in that context pre-benefit activities are employment related activities that a client may be required to attend and participate in as part of their application for benefit for the purpose of helping the client find and retain paid employment. These are: attending and participating in a work-for-youth seminar, creating a job seeker profile called Recruitme, reporting on progress of job search activities and producing an up-to-date CV and providing it to work and income. The client applying for benefit is in these arrangements obliged to complete the activity, once it has been assigned to them, in order for their application for the benefit to be progressed. Otherwise, the application would lapse after 20 working days.
We have on this side of the chamber spoken a bit of late about our proposed investment approach. Australia’s welfare bill, as I think colleagues would be aware, sits at $154 billion a year. It is forecast to balloon by $38 billion over the forward estimates. Given it already takes eight out of 10 income taxpayers to go to work each day to fund this, the case for action to address its challenges is, I think, clear. This is one of the reasons the coalition is investing $20.7 million to introduce an investment approach to welfare in Australia. As colleagues would be aware, Patrick McClure recommended this in his review of our welfare system. It is all about directing funding where it will do the most good, particularly in reducing long-term welfare dependency. This is working in New Zealand, where it will do the most good, particularly in reducing long-term welfare dependency. It is indeed helping many people get into work and stay in work.

The New Zealand analysis shows that young parents and single parents have the highest lifetime costs compared with other groups on welfare. That is because they do find themselves stranded on welfare for the long term. New Zealand has concentrated funding and efforts on getting these young people trained and into work. They, like this government, understand that the best form of welfare is indeed a job. The Deputy Prime Minister and Minister of Finance in New Zealand, Bill English, has credited the investment approach with incredible changes. There are now 43,000 fewer children in New Zealand living in households that rely on benefits compared with three years ago, and the number of sole parents on benefits is the lowest in more than 25 years. These are very encouraging figures that demonstrate the value of innovative thinking and private investment to address social needs. Indeed, the NDIS does itself take an investment approach. It does take an actuarial approach in looking at the long-term costs both financial and personal of someone’s disability and does look to see how early investment, using actuarial advice, can reduce the cost for an individual. So, it is something that already the government is very keen about.

Obviously, welfare for the entity that is making this investment needs to be a good proposition. Under an investment approach, we start by assessing the risk factors that drive long-term welfare dependency and which groups will most likely benefit from early intervention. This gives us a better picture of how we can make lifetime changes for people in the welfare system—changes that help not only individuals and communities but also the economy. Based on this analysis, the government can invest in evidence based programs tailored to make the most difference to those groups whose pathways can be changed. Each year expert actuaries will consider which policies are working for which groups of payment recipients and which groups would benefit from a different approach. With robust and ongoing evaluation, policies can be refined to have the most impact and funding can be directed to where it will do the most good. Right now, the government is selecting the actuarial service provider who will do an initial baseline evaluation of the government's social security liabilities. Then, they will do another three evaluations over the following three years. I think the investment approach, which was first flagged in the budget, is extremely promising.

I very much commend my portfolio colleague, Minister Morrison, for looking at New Zealand to see how we can learn from their experience and get better outcomes for Australians who are supported by our social security system. I thought that information on the New Zealand approach and also how we are trying to learn from it in Australia might be
useful for the consideration of colleagues. With those remarks, I commend this bill to the Senate.

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

The Senate divided. [16:57]

(The President—Senator Parry)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noes</td>
<td>35</td>
</tr>
<tr>
<td>Majority</td>
<td>5</td>
</tr>
</tbody>
</table>

**AYES**

Back, CJ  
Birmingham, SJ  
Canavan, MJ  
Day, RJ  
Fawcett, DJ  
Fifield, MP  
Johnston, D  
Lindgren, JM  
McGrath, J  
Nash, F  
Parry, S  
Ronaldson, M  
Ryan, SM  
Seselja, Z  
Smith, D  
Bernardi, C  
Bushby, DC (teller)  
Colbeck, R  
Edwards, S  
Fierravanti-Wells, C  
Heffernan, W  
Leyonhjelm, DE  
Macdonald, ID  
McKenzie, B  
O'Sullivan, B  
Reynolds, L  
Ruston, A  
Scullion, NG  
Sinodinos, A  
Williams, JR

**NOES**

Bilyk, CL  
Bullock, JW  
Carr, KJ  
Dastyari, S  
Gallacher, AM  
Hanson-Young, SC  
Lambie, J  
Lines, S  
Ludwig, JW  
McAllister, J  
McKim, NJ  
Muir, R  
Peris, N  
Rice, J  
Singh, LM  
Urquhart, AE (teller)  
Waters, LJ  
Xenophon, N  
Brown, CL  
Cameron, DN  
Conroy, SM  
Di Natale, R  
Gallagher, KR  
Ketter, CR  
Lazarus, GP  
Ludlam, S  
Marshall, GM  
McEwen, A  
Moore, CM  
O'Neil, DM  
Rhiannon, L  
Siewert, R  
Sterle, G  
Wang, Z  
Whish-Wilson, PS

**PAIRS**

Abetz, E  
Brandis, GH  
Cash, MC  
Wright, PL  
McLucas, J  
Wong, P
FIRST SPEECH

The PRESIDENT (17:00): Order! I remind senators that the first speech is about to be given by Senator McKim, and I ask that the usual practice and courtesies be extended to him.

Senator McKIM (Tasmania) (17:00): Thank you very much, Mr President. I start by acknowledging the first people of this land, the Ngunawal and Ngambri people. I acknowledge and pay my deepest respects to their elders past, present and future. I also acknowledge that adequate reparations have not yet been made for the wrongs that Australia's original inhabitants have suffered since European invasion. I look forward to the day when there is a treaty between Australia's first people and those who displaced them from their land.

It has been a bit of a winding old journey for me to end up here. I was born in England and moved from London to Tasmania with my family when I was five years old. I would like to sincerely thank my parents, who are here today, for that, the best decision they could have made for their family. I have worked in a wide range of jobs, including as a Huon Valley apple picker, a shepherd in Scotland and a biodynamic market gardener in Switzerland. I have guided clients through the breathtakingly wild and beautiful Tasmanian wilderness and I have worked in advertising and public relations. I know what it is like to sweat for a living and, more recently, to talk for a living.

I have spent time between jobs unemployed, so I know what it is like to have to choose between paying the rent and putting food on the table. I will never forget the tough times, no matter how lucky I get. I have been lucky to have the privilege of being a member of the Tasmanian parliament for 13 years, leading the Tasmanian Greens for six of those years, serving as a minister of the Crown in the Tasmanian government and now rising to make this my inaugural speech in the Australian Senate.

I do this at a time when politics, the chosen profession of everyone elected to this place, is in a fair bit of strife. It is in strife because the Australian people are completely over being treated with a lack of respect and being taken for granted by so many of their political representatives. They are sick of the sniping and negativity that characterises so much of what passes for political debate in this country and, at times, in this parliament. They cannot believe that we have a Prime Minister and a Leader of the Opposition who get up every morning and ask themselves, 'How can I win the next election?' rather than, 'How can I better serve the people that I am here to represent?' The canary in the mine shaft of our body politic is falling silent. The early warning signs are clear and they are there for all to see: the antipolitician vote, the ever-increasing churn in support for parties and candidates, an increased volatility in the electorate and a desperate hunger for real political leadership. There is a tangible yearning for hope in our community, for something better than what the old parties are offering.

I commit, in my time in the Senate, to exploring new ICT platforms that will allow me to have a far more genuine engagement with the people that I am here to serve. I am also proud...
to be part of a party, the Australian Greens, that places a priority on respectful engagement, building genuine relationships, being up-front about the challenges we face and working collaboratively to deliver solutions. It is a party that knows that politics is really just a tool that we use to talk about what really matters to us—our families, our friends, our communities, our wellbeing, our health, our education and the ecosystem that ultimately sustains it all. It is a party that understands that financial and economic systems prioritise greed over compassion and put profit before people and the planet. We will not sit silently by while policies driven by greed gobble up the future of our children and grandchildren. It is a party led by someone, in Richard Di Natale, who is offering genuine political leadership at a time when Australia so desperately needs it—a leader for our times, if I ever saw one.

And what times they are. Global warming is shifting the equilibrium of the earth's ecosystem and impacting on every single person on the planet, every single thing that we do and every form of life on earth. Today the world that Australia is part of faces unprecedented challenges but also unparalleled opportunities. Our scientific knowledge is increasing exponentially and technological developments, particularly in renewable energy and information and communication technology, are providing us with the tools to respond to the task before humanity and deliver sustained prosperity in a way that is very different to how we have tried and so far failed to do.

It has been observed recently that Uber, the world's largest taxi company, owns no vehicles, and Airbnb, the world's largest accommodation provider, owns no real estate. Something very disruptive is happening. It is called the shared economy or the collaborative economy, and it is coming to a mobile device near us all. It is turning a generation of interconnected people into entrepreneurs. It is a peer-to-peer economic ecosystem which relies on data and connectivity, and it is growing exponentially. A PricewaterhouseCoopers report has found that just the four major sectors of the collaborative economy have an annual global revenue of $21 billion, a figure that it predicts will explode to $478 billion within a decade. It is already transforming sectors like accommodation and transport, and services like equipment rental, energy supply, labour hire, moneylending and even child care will be next. It brings down prices, it cuts out middle people, it encourages innovation and, crucially, it is environmentally friendly because it avoids greenhouse emissions through the more efficient use of existing resources. It is the free market working like it should for the benefit of people and the benefit of the environment.

The opportunities that come will shift people away from welfare and into economic independence, and the free-flow of information and data will protect consumers and reduce regulatory burden on governments, freeing up more money for the delivery of essential public services. The drivers of the global economy in the years ahead will not be cumbersome, cost-heavy corporate dinosaurs; they will be the small businesses, the innovators and the entrepreneurs of the future, and the Greens will be right there with them advocating for more support, less protectionism and the lightest possible regulatory touch.

Throughout human history our biggest challenges have arisen when ecologies collapse and when the equity gap—the gap between the haves and the have-nots—is at its widest. This is the situation currently facing us on a global scale and it is manifesting most obviously in the human tragedy unfolding before our horrified, disbelieving eyes in Europe, where millions of refugees have been displaced and thousands have died as they and their families attempt to
reach peace, sanctuary, the chance for a better life or just simply a chance at life. Australia must do more. We cannot turn our back on the world, for obvious moral reasons but also because it is not in our national interest to do so. The world's problems are our problems.

I can let you know that my home state of Tasmania, a big-hearted community with a proud history of welcoming new arrivals, stands ready to help. Let me tell you a story about Tasmania and refugees. When the Australian government built a high-security detention centre at Pontville and filled it with children and young adults just a few short years ago, Tasmanians broke into it. Not all of us were convinced about asylum seekers, but we could not help ourselves, because down in Tasmania we welcome strangers. So, in the locals went, carrying gifts of beanies and food. We opened our schools to those people and we opened our hearts.

But we have to understand some of the underlying causes of conflicts in the 21st century. The National Academy of Sciences of the United States of America has recently published a study entitled 'Climate change in the Fertile Crescent and implications of the recent Syrian drought'. It concluded that human influences on the earth's climate are implicated in the current Syrian conflict. As the report's co-author, Richard Seager, of Columbia University in New York said, 'Added to all the other stressors, climate change helped kick things over the threshold into open conflict.' The abject misery on our screens is real and it is deeply confronting, but I am so very, very sorry to say we ain't seen nothin' yet.

The opportunity is there now in this century of rapid change for Australia to make smart, informed decisions, to get ahead of the game, to be market leaders, to show the world how we can transition an economy out of an overreliance on resource extraction and into the industries of the future. That is why we need to keep the coal in the ground; that is why we need to reintroduce a price on carbon, not only for Australia's sake but for the sake of every person and every species that we share this amazing, miraculous planet with; and that is why we must reject the false choice between jobs and environmental protection—a choice that is put so often in this place. We can and must create a future that secures both. From electric vehicles to renewable energy, from carbon sequestration to environmental remediation, from localised production of everything from food to electricity, we can live more sustainability; we can create more meaningful work for our people.

There are many national issues that currently demand action—many. Marriage equality is an issue whose time has come. It is a reform based on the values of compassion, love, respect and celebrating the diversity that is one of Australia's absolute strengths. It will make families stronger, provide a sense of stability for children and make marriage more relevant to more Australians. How can we as leaders in this place ask the Australian people not to discriminate on the basis of sexuality in our schools, in our businesses and in our communities when we still sit on discriminatory legislation? My party, the Australian Greens, has led this debate in Australia since we tabled the nation's first marriage equality legislation in the Tasmanian parliament in 2005. Every Greens MP has voted for marriage equality every single time, and we will continue to work to support people in our community to champion this reform until every Australian, regardless of their sexuality, will know that they are equal before the law in all respects.

There is an epidemic of men's violence against women in this country. This year alone in Australia 60 women have been killed by a man that they know. As a White Ribbon
ambassador, I implore more men to take leadership on this issue, to stand up against this violence, this sexism, and to stand up for true gender equality in our country. Violence against women is a problem caused by men and it will not be solved until we men man up and take responsibility for that.

On the topic of responsibility, I cannot let this chance go by without talking about corporate responsibility, or the lack thereof, in Australia and around the world today. With a few brave exceptions, corporations continue to behave like psychopaths. Fair dinkum! If people behaved with such a reckless disregard for the public good, we would lock them up in jail for the harm that they do. We politicians need to accept responsibility for this because, over time, we have tripped over ourselves to hand over power from the chambers of our parliaments to the corporate boardrooms, which are so unaccountable to the people whose lives they are destroying. It is time for us to reclaim that power. We need to completely change the regulatory frameworks that govern the way corporations operate and we should require them to act for the public good.

So, to Tasmania, the best place in the world to live and a place that I love so much. A beautiful heart-shaped island hanging at the bottom of the world. A place with competitive advantages that the rest of the country can only dream of: clean air—the cleanest in the world; abundant fresh water; world-class soils; renewable energy; spectacular wilderness; carbon-rich forests; and our kind, innovative and deeply resilient people. We lead the world in Antarctic and marine science. We have more scientists per capita than any other state in Australia, we have world-class medical and scientific research facilities, and we have a world-class university ranked in the top two per cent of universities around the world. It is a place with the clean, green, clever and creative brand that gives us the opportunity to add a premium to what we produce for the global markets.

I listen to the rest of the country laugh at Tasmania and I say, 'Laugh while you can, because we are coming for you and we are coming hard.' I chuckle quietly to myself because I know our time is coming. I know it. We have what the world wants and what the world is willing to pay for. Yes, we are the smallest state and we should be proud of that because it is one of our biggest assets. Small places know that relationships matter, and being closely connected with each other means we can be nimble and flexible and fast on our feet, better able to change in response to a rapidly changing world, and able to change fast to adapt, to evolve and to innovate. But to do this there are some steps that we need to take.

Our island status is one of our great competitive advantages but also presents some of our bigger challenges. The cost of getting people and goods across Bass Strait has held Tasmania back for far too long, but the solution is simple: make Bass Strait part of the national highway and ensure that national highway funding right across the country is distributed on the basis of genuine need rather than the political imperatives which too often skew funding priorities. We need to improve the carriage of data between Tasmania and the world. There is a proposal before the Tasmanian government for another fibre-optic connection which would improve competition, bring down data transmission prices and increase redundancy. It is vital for Tasmania's future that this project goes ahead.

We should also start work on a business case for draining Lake Pedder, that absolute jewel of a wilderness lake in the south-west wilderness with its spectacular quartzite beach. Pedder was flooded in the 1970s, breaking the hearts of so many Tasmanians. But it also became the
crucible of the environment movement in this country and led to the formation of the United Tasmania Group, the world's first Green political party. Restoring Lake Pedder could be achieved with a loss of just two per cent to Hydro Tasmania's system energy output in a state that is forecast to have an electricity glut until 2027 at the very earliest. It would put Tasmania on the front page of every newspaper in the world and establish us as a global leader in environmental remediation, one of the industries that will boom, and is booming, in the 21st century. I have in my office a bag of sand that belongs on the Lake Pedder beach. I do look forward to the day that I can pour that little bag of sand back onto that magnificent, one-kilometre-wide Lake Pedder beach.

The Tasmanian economy has been undergoing a quiet transformation for a decade, moving out of an over-reliance on resource extraction and into a more diverse and more resilient economy. It is a transition that has primarily been driven by the innovation and the creativity of our people, not by governments. It started later than it should have and, because of that, it has been harder for some Tasmanians than it needed to be—and it is not finished yet. But look at us now. We are selling cherries to Japan, truffles to France and tulips to Amsterdam. We are creating jobs in viticulture, aquaculture, cut flowers, honey, small fruits, boutique beer and cider, and broadacre farming. We are creating jobs in the digital economy, the creative economy, the knowledge economy and, of course, tourism. We now have over a million tourists arriving every year and they are staying longer and spending more money. They are not coming because Tasmania is the same as the rest of the country or the rest of the world; they are coming because we are different, and proudly so.

In a world racked by climate disruption, we in Tasmania are on track to be powered by 100 per cent renewable energy by 2020. We have some of the most carbon-rich forests in the world—assets that we have a moral responsibility to protect for future generations. We are a wild and beautiful archipelago. Our wilderness not only nurtures our souls, sequesters carbon and supports biodiversity; it underpins so much of our future prosperity. The Tasmanian government currently wants to log and mine in the United Nations Tasmanian Wilderness World Heritage Area. This is as short-sighted and senseless as proposing to mine the great pyramids of Egypt and using the rubble for road gravel. We have to look after our place for its own sake and for the future we can create in Tasmania as a beacon of sustainability and prosperity to the rest of the world.

In a world of poisoned and dying environments, we have healthy and clean agricultural land. In a world harried by scares about food contamination we have high quality, clean, safe food supplies. In an overcrowded world, where people do not know their neighbours and rarely see green and growing things, where countries are shattered by division and sectarianism, we have space, we have peace, we have supportive communities and we have safe public places. In Tasmania you can live in a city and at the end of your working day you can go fishing, or surfing, or for a walk in the forest.

You know, if you are a Tasmanian—whether you are a sea-changer or a migrant, whether you arrived yesterday or your people have lived there for 200 years or 40,000 years—that you are part of something unique. Our rate of volunteering soars above the national average. We are supposedly the poorest state in the country, but that is because some people measure wealth using only money. Remember, in times of crisis Tasmanians are the biggest donors per capita to national appeals for help. That is richness right there, not poverty.
The mainland states and the rest of the world are welcome to watch us with envy, and we are happy to welcome their people, who come to Tasmania fleeing drought, violence, overcrowding, excessive heat and disillusionment with their hectic lives. We have lived through recessions and depressions, redundancies and factory closures and we have not only survived; we have never forgotten who we are and what we have in Tasmania and we have never stopped being proud of ourselves and of our island home. We Greens and countless other Tasmanians have fought to protect that place and we will never abandon our stewardship of it. Never. There are howling gusts of change blowing all around the world. But in Tasmania we live in the Roaring 40s. We don't mind a bit of weather down there, and we are more than used to change. This century is the sustainability century, and it is Tasmania's chance to shine.

I want to conclude by acknowledging the many people who have helped me on my journey through life and politics. To all of the staff who have supported me so brilliantly during my time in politics, and to those who still do, who are here in the chamber today, thank you for putting up with me and for putting in so much incredible time and effort. To all the Greens members and volunteers and supporters who have advised me, supported me, pushed me, cajoled me, backed me in and voted for me over many elections, I thank you all from the bottom of my heart.

I want to particularly thank two people who are known well in this chamber, Bob Brown and Christine Milne. Like them, I have come from the Tasmanian parliament to the Senate, truly following in the footsteps of giants. Thank you both for your leadership and your friendship. Thanks to my mum and dad, John and Joanne, who never stopped believing in me even when I had a bit of trouble believing in myself; to my brother, Tom, and his beautiful family; and to my family—my magnificent partner Cassy O'Connor, who I love so much and who somehow loves me right back and without whom I simply could not do what I do, and her beautiful daughters, Stella and Mara, who make me so proud and bring me so much joy. Thanks guys; I will give it everything I've got to do you all proud.

BILLS

Water Amendment Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator SINGH (Tasmania) (17:28): I begin by indicating that the opposition recognises the government's desire to provide certainty to Murray-Darling Basin communities by placing a cap of 1,500 gigalitres on water purchases. On that basis we will not be standing in the way of this government initiative. The success of the Basin Plan has always rested on bipartisan support at the federal level, the support of the basin states and at least nominal support of agricultural and environmental groups. Given the support of the basin states, Labor will not oppose the passage of the Water Amendment Bill, in the interests of bipartisanship and the stability of the Basin Plan.

The bill proposes to amend the Water Act 2007, to impose a duty on the Commonwealth not to exceed the 1,500 gigalitre-limit on surface water purchases in the Murray-Darling Basin at a time of entering into the water purchase agreement contract. Secondly, it amends
the Murray-Darling Basin Plan 2012 to provide increased flexibility in the recovery of some 450 gigalitres of water through efficiency measures funded under the Water for the Environment Special Account.

The success of the Basin Plan has always rested on the bipartisan support I referred to. At the federal level, that has been very important and of course we have strived to, as best we can, extend that to the states.

As many in this Senate would know, disagreement over the management of our most important river system and the food bowls which rely on it actually predates Federation. The first conference on the Murray was held in 1863, decades before Federation. More than 30 years later, South Australian Premier Charles Kingston, at the 1897 Federation Convention, declared he held out hope, and I quote:

… the Federal Parliament will be trusted with Federal questions of the gravity involved in the use of the waters of the Murray.

The history of conflict surrounding the provision of an overarching management framework for the whole basin also has its place in history, with recorded disputes among the colonies. At the 1898 Melbourne Constitutional Convention, the same Premier stated:

We ought to give the federal parliament which we propose to call into existence; the power—when it deems fit, to legislate on this question in order to remove this fertile source of conflict and friction between the colonies.

So despite the many conferences and conventions it took the severe Federation drought, which started in 1895 and was widespread by 1902, to bring the states together to come to some agreement on the management of the Murray. A conference in Corowa, in 1902, provided the catalyst, eventually resulting in the River Murray Waters Agreement, signed in 1915, by the governments of New South Wales, Victoria, South Australia and the Commonwealth. This was followed by the formation of the River Murray Commission, in 1917.

The economic value of the basin's water resources to the states—South Australia, Victoria and New South Wales of course—has seen a legacy of construction resulting in a highly regulated system.

Since the early 1900s numerous water regulation structures, dams and weirs, were built. Almost not a drop of rain falls in the basin and gets to run unimpeded into the sea. Instead, water is stored in dams, weir ponds and modified storages like Menindee Lakes.

By the late 1960s drought, the overextraction of water for irrigation and rising salinity began to put the health of the Murray-Darling system on the radar of politicians and users alike and of course of the community more broadly.

But with increased regulation and an increase in surface water extractions, together with a drought in 1968, environmental impacts were starting to emerge. Water quality had deteriorated to the point that the first benchmark study of salinity, the GHD study, took place in 1970.

We fast forward to the drought of the early 2000s, the millennium drought, as it was clear that more needed to be done. Under the Howard government, the National Water Initiative was agreed and the Water Act 2007 was passed through the parliament.
And now, thanks to the extraordinary efforts of the former minister for water, the member for Watson, since 2012 we have had a basin plan that is restoring our rivers to health, supporting strong regional communities and ensuring sustainable food production.

The Murray-Darling Basin Plan—or the 'Basin Plan' as it has been referred to—has bipartisan support at the federal level and the support of the basin states: South Australia, Victoria, NSW, Queensland and of course the ACT.

Importantly, it has also had the support of farming, environmental and Indigenous groups. Not everyone has had their way of course. Not everyone got all they wanted from the plan, but it remains supported. The plan supports the very important environmental needs of the basin rivers. Within the basin there are approximately 30,000 wetlands; over 60 species of fish; 124 families of macro-invertebrates; 98 species of waterbirds; four threatened water-dependent ecological communities; and hundreds and hundreds of plant species supported by key flood plains.

So it is obvious that this is a very important, if not the most important, system to Australia. The health of the river channels themselves and the flora and fauna they support is not only vital in its own right but vital for the economic and social wellbeing of basin communities.

Related to environmental needs and environmental flows is the fact that Aboriginal nations and communities in the basin want and should have access to the flows they need to ensure the continuation of their culture and their social and economic wellbeing. Aboriginal people feel a deep connection to their land and the waters that flow through and across them. This needs to be recognised and provided for, not as an exercise in imperial patronage but by ensuring that Aboriginal people are empowered through water rights. And when environmental water is released into the rivers and wetlands Aboriginal expertise also needs to be heeded. The deep knowledge of Aboriginal people of the river systems means that they have important, if not vital, advice to give our water managers that, if heeded, can add great value to their work. Groups such as the Northern Basin Aboriginal Nations and the Murray Lower Darling Rivers Indigenous Nations have a lot to offer us, if we listen

Engagement with Aboriginal people in the basin cannot be done as a 'tick-box' exercise: proper, ongoing engagement will benefit us all.

The Murray-Darling Basin also supports agriculture on a grand scale—around 40 per cent of Australia's agricultural production. According to ABS figures, in 2012-13 the basin accounted for over 50 per cent of Australia's irrigated produce, including nearly 100 per cent of Australia's rice, 96 per cent of Australia's cotton, 75 per cent of Australia's grapes, 59 per cent of Australia's hay, 54 per cent of Australia's fruit, 52 per cent of Australia's production from sheep and livestock and 45 per cent of Australia's dairy.

Around two million people live and work in the basin, in communities ranging from fewer than 1,000 people to large urban centres such as Wagga Wagga, with over 45,000 people. A further 1.2 million people depend on its water to survive. All of this agricultural production and the two million people living in the basin rely on a healthy, functioning river system. So, restructuring and reform in such an important area as this is always very difficult. I suppose it can be said that the bill before the Senate is about redressing the issues still held by some of those basin communities in particular.
The Basin Plan brought into force in November 2012 will set basin-wide sustainable diversion limits and return 2,750 gigalitres to the environment. Basin states are required to prepare water resource plans that will give effect to the sustainable diversion limits from July 2019. Under the sustainable diversion limit adjustment mechanism, up to 650 gigalitres can be provided through supply measures and projects that deliver environmental outcomes with less water. Proposals for these supply measures are, I understand, in varying states of preparation and assessment at the moment. There is bipartisan commitment to bridge the gap between what these supply measures can provide and the 2,750 gigalitres to be returned to the environment.

On top of the 2,750-gigalitre target, an additional 450 gigalitres will be returned to the environment. Funding was provided through legislation in 2013 for this additional 450 gigalitres, which must be obtained through projects that ensure no social or economic downsides for basin communities, such as on-farm irrigation projects. There is $1.78 billion in the Water for the Environment Special Account, including $200 million for the removal of constraints identified in the constraints management strategy.

To date, more than 1,900 gigalitres have been recovered for the environment. This includes more than 1,160 gigalitres of water through water purchases, over 600 gigalitres through infrastructure investment and over 180 gigalitres through other basin state recovery actions. This is water that can be used at appropriate times and where it is needed to improve flows and help restore health throughout the system. Already, we have seen successful water releases overseen by the Commonwealth Environmental Water Holder and the state and regional water management agencies.

Importantly, there has been significant Commonwealth investment in ensuring that farms remain productive as the plan is delivered. Indeed, $2 million a day is being and will be spent on efficiency and infrastructure measures out to 2019. This is not only a significant amount of money; it is a significant commitment to the Basin Plan, to the health of our rivers and to our ecosystems and communities they support.

As I mentioned earlier, Labor recognises the government's wish to provide certainty to basin communities by placing a cap of 1,500 gigalitres on water purchases. As with the Basin Plan itself, and many aspects of it, there are conflicting points of view that do need to be acknowledged on the issue of water purchase versus infrastructure measures as the best means of achieving the outcomes of the Basin Plan. Labor has consulted with various stakeholders with divergent points of view about this issue and carefully considered their points of view. I have listened to those points of view myself, and that is what an effective opposition does.

We have carefully considered the position of the basin states as well. Again, on that basis we will not be opposing the bill. Given the support of the basin states, we will not be standing in the way of this bill in the interests of bipartisanship—which has always, of course, underscored the strength of our progression to the point we have reached today.

For the opposition, there are two key imperatives for the success of the Basin Plan and these imperatives are the same for our approach to the cap on water purchases. These are bipartisan support at the federal level; and the support of all the basin states. Given that there is support from the basin states for this reform, as well as the progress that has been made to date in recovering water for the environment, Labor will not oppose this bill.
As I said, the success of the Basin Plan has always rested on that bipartisanship and, of course, on the support of those key basin states—particularly New South Wales, Victoria and South Australia. The Murray-Darling Basin Plan 2012 has been a success story in and of itself. As I said in my second reading speech, I do pay tribute to the then minister, Tony Burke, the member for Watson, who did a tremendous amount of work to ensure that we are where we are today in debating this bill. He did a tremendous amount of work on the Murray-Darling Basin Plan, on the issues raised by stakeholders and member states.

In considering the depth and detail of the bill before us, Labor will support it and vote with the government on this bill.

Senator RHIANNON (New South Wales) (17:44): The Water Amendment Bill is a sloppy piece of legislation. It is very confusing, and when you sit down and read it you really wonder what the purpose of it is. What is the intent? Clearly the government has an aim here. You start to wonder what the driver is. What is the political interest going on here? What was the intent of the Liberal and National Parties when they came up with this? You would have to conclude that it is to support their constituency—agricultural big businesses—and it looks like the Nationals were probably a key driver, because the more you look into this legislation the more you come to the conclusion that it is about unravelling the Murray-Darling Basin Plan. This is an incredibly serious point with regard to water policy in this country, the driest continent on earth. We have already seen under this government the demise of the National Water Commission, effectively, and the National Water Initiative. Now the intent is to unravel what was already a compromise—the Water Act was already a compromise—and we should remember that as the government now pushes to have a cap in the legislation.

The starting point for any legislation on water should be that we live in an increasingly climate changed world. That should mean that we address the long-term certainties around water in the Murray-Darling Basin. That is how the Greens approach the critical issue of managing the Murray-Darling. But, as I said, this bill undermines the Water Act that it seeks to amend. The Water Bill overrides the Commonwealth's obligations to achieve the sustainable diversion limits mandated in the Murray-Darling Basin Plan. The bill limits how much water can be bought back from willing sellers. It is an extraordinary change. It really is incredibly serious. Now we hear that Labor is going to be sitting there with the Liberals and the Nationals and allowing this to go through.

The bill removes flexibility to achieve the aims of the Murray-Darling Basin Plan. It is essential to managing water that we recognise the importance of the current plan. In a political, budget constrained environment, and into the future, the responsibility of the government to invest wisely in cost-efficient and proven effective outcomes should also be a given. The bill risks substantial expenditure of public monies on projects that may further reduce the net amount of water available to groundwater or downstream water users across the basin. With this in mind, the Australian Greens do not support the passing of the bill. When you look into issues around water policy, certainty is so important, and that is something that this bill removes. The health of the Murray-Darling river system—the protected wetlands, basin communities, the flood plains, agricultural soils and crops—requires certainty at some level of water flow. To achieve the health of the basin rivers, certainty of flow is absolutely paramount. This is particularly so for the downstream ecosystems and communities. The River Lakes and Coorong Action Group remind us that the
Coorong and surrounds—and this is from their submission—“bears a great deal of the risk if the Murray-Darling Basin Plan fails to restore the health of the River system and achieve the objects of the Water Act 2007”.

What do we mean by certainty? Certainty of a guaranteed buyer is central. The water licensees who wish to sell water entitlements surplus to their requirements need the certainty of a guaranteed buyer in the Commonwealth, especially when times are tough. The Commonwealth itself needs to be certain that it has flexibility to meet its legislative and ethical obligations to achieve sustainable diversion limits through the purchase of environmental water licences from willing sellers when needed. The bill itself needs to provide certainty in its aims, definitions and outcomes. But it contains no certainties. It is a confusing piece of legislation. Again, it is about unravelling the Murray-Darling Basin Plan. So much time and so many resources went into that plan, with such a fundamental compromise already. It was a small step forward, but now it looks like we will be left with nothing.

Any speakers in this place who say otherwise—that it is not full of uncertainties—are misleading the public. What you see here, I believe, are the proponents of the bill walking both sides of the road. We said this regularly with the Nationals and I will be interested to hear their comments. It is classic: selling themselves that they are there for the farming folk and there for the farming communities. When you look into this bill you see that on the one hand they say that, but on another hand: who do they deliver for? This bill delivers for big water interests—big irrigators. Do not come into the debate and distort the Greens’ position. We are not against all irrigation. We are about getting the balance right so that farming can be sustainable in this country as we face the incredible challenges of climate change. That is what a responsible government should be doing.

The 2007 Murray-Darling Basin Plan, with its supporting legislation, was written in response to what was then one of the worst droughts in Australia's written history. It is recognised that the overallocation of water from the Murray-Darling Basin has affected not only the ecological wellbeing of the rivers but also the long-term sustainability of the communities that run the length of those waterways and their water catchments and the amazing flood plains that make up the Murray-Darling Basin. Without healthy, flowing water in the Murray-Darling rivers and their tributaries, their irreplaceable environmental values and the communities that depend on the health of the basin's water will wither and die. This is not guaranteed, and this bill puts it under much greater threat.

The current Murray-Darling Basin Plan is informed by a shared recognition that a nationally coordinated approach to water reform is vital to addressing the overallocation of water out of the Murray-Darling Basin. As noted by the River Lakes and Coorong Action Group, the plan represents well over 20 years of planning and negotiation between many competing stakeholder interests. In their submission, the group states that the Murray-Darling Basin Plan should be implemented and evaluated as it was designed to achieve the agreed objectives of the Water Act 2007. I emphasise that point again, because this is what is being lost with this bill—a deep undermining of important legislation, the Water Act. Yes, the Greens criticised it at the time, but it was still something of an advance. We cannot go backwards to that point; we cannot see another fundamental aspect of managing our water resources cut up and divided in such a sinister way.
Central to the plan is the reduction of water extracted and diverted from the Basin to sustainable limits by 2019, stated in the 2012 Plan to be 10,873 gigalitres per annum. Now 2,750 gigalitres of environmental water must be recovered each year with the option of offsetting this volume by supply measures. The ability of the Commonwealth to purchase water licences to meet the previously mandated recovery of 2,750 gigalitres per annum of environmental water is the safety net of the whole Plan and thus a central plank to achieving the objects of the Water Act 2007.

I emphasise again that the 2,750 gigalitres was a major compromise, and it is worth remembering just how much of a compromise it was. Remember the years of debate, all the resources, all the experts and all those discussions. The scientific experts identified that what was needed was the return of an additional 7,600 gigalitres per annum of water to provide a high level of certainty to achieving the required environmental outcomes. Remember that when we use the term 'environmental outcomes' you should not try to narrow that down in a reductionist approach to this debate. Environmental outcomes are about the health of the whole system; it is about the health of the communities and about the productivity of the region. That is what we mean by 'environmental outcomes'. That is what many experts recommended in 2007. As I say, the 2,750 gigalitres per annum was a major compromise; that amount was seen as minimal for the health of the Murray-Darling river systems. We know that the Commonwealth is responsible for ensuring that the sustainable diversion limits or SDLs are achieved.

The SDLs should be able to live up to their name and be sustainable. Retaining the ability to purchase environmental water if any shortfall in water recovery occurs is essential to the Plan. That is how it should work, but this bill does not pass that test of being able to restore water. The bill imposes a limit of 1,500 gigalitres per annum on the volume of environmental water the Commonwealth may purchase to meet its obligations under the Murray-Darling Basin Plan. This is where it becomes incredible: the cap of 1,500 gigalitres in the bill is a rigid limitation. We know there are complexities in managing the water and we know terrible droughts can come, but putting such a low cap into the legislation will make it so much harder.

It really is a very deep betrayal, particularly when we see Labor, the Nationals and Liberals lining up on this. Surely, there should be more debate and surely we should be listening to the excellent submissions that warned us about what could happen if this bill passes. To share another voice from those submissions, let me quote that of the Murray Lower Darling Rivers Indigenous Nations:

By placing additional costs and restraints on the Commonwealth’s ability to recover water for the environment, the Bill will severely hamper its ability to meet Water Act objects…

That is the essence of the problem that we have here. This bill does not line up with the intent of the Water Act. It is actually about dividing it up. There was also a joint submission from the Australian Conservation Foundation, Environment Victoria and Environmental Justice Australia. Their submission stated:

Our primary concern with the Bill is that the cap will be in the Water Act itself. Since the Water Act takes precedence as a legal instrument over the Basin Plan, honouring the cap will take precedence over honouring the SDLs.
That is why I keep saying that it is about unravelling the very important work that was done in bringing forward that Water Bill.

If the Commonwealth cannot meet the SDLs via infrastructure upgrades or efficiency measures—because, for example, they become prohibitively expensive or they simply do not deliver the amount of water required—it will not be able to use buy-backs to bridge the gap. That is the advice from the ACF, Environment Victoria and Environmental Justice Australia, and that advice should be followed. The warnings are there and they are clear. There is no indication in the bill as to what would happen if the Commonwealth finds itself in this position, because as further noted by that joint submission and that from the EDOs of Australia: if the Commonwealth cannot meet its obligations to bridge 100 per cent of the gap to meet the SDLs, the gap would then become the reasonable excuse—remember that is the term: 'the reasonable excuse'—trigger in the Basin Plan that would allow the states to exceed the SDLs, the sustainable diversion limits. Again, the proof is there and we had it laid out before us. The submissions clearly show how this bill will unravel and undermine the Water Act to such a dangerous extent where we are left with no plan for the Murray-Darling.

This bill creates a framework that effectively allows governments to walk away from their commitments to the Murray-Darling Basin Plan. With no remaining liability to meet the SDLs, with no requirement to meet the sustainable diversion limits—that is what we are talking about here. This is simply unacceptable. It should be unacceptable to all senators and to all parties, but again we know that the Labor, Liberal and National Parties are all working together in this most backward piece of legislation. I have described the bill as 'sloppy' and 'confusing' and that is shown even in the fundamental definitions. The expression 'long-term annual average quantities of water' is used, but what does it mean? There is no certainty as to whether the 1,500-gigalitre limit is on entitlements or on long-term annual average entitlements. Because so much of it is unclear, that is why you start to question the intent. It is not just about the cap at 1,500, it is not just about 1,500 gigalitres, it is not just that the cap is actually this time in the act, it is also about the definition, it is about whole piece of legislation. You are left wondering what the intent here is.

Submissions by the EDOs of Australia—ACF and the organisations that put in the joint submission—take up this deficiency in the bill. They have questioned it very deeply. The Inland Rivers Network stated:

… there is no definition of what this means or how it is to be calculated, over what period of time.

It is an extraordinary way to craft legislation. We do know that unbundling of water from land has created a new asset that many irrigators have chosen to sell to create new wealth. This bill puts this asset at risk. Again, how extraordinary that we have the Liberals, the Nationals and Labor putting this asset at risk. This is another very serious outcome if this bill is passed.

The bill removes the current surety businesses have that a guaranteed buyer—the Commonwealth—will be available should they wish to sell water entitlements surplus to their requirements. The Nature Conservation Council of New South Wales in their submission examines the case of a farmer who has achieved required water efficiency and seeks to sell any part of their water entitlements as a positive investment. In their submission the NCC New South Wales stated:

Constraints on the purchase of water for the environment through the market will reduce demand and therefore market prices, reducing the potential for financially viable investments.
This bill is contrary to the notion of open markets. The coalition is supposed to be the party of open markets, and there are times that they work and do assist, and this has been an example of it. Here we have a bill that is contrary, as I said, to the notion of open markets that this government trumpets. It is contrary because it seeks to remove the choice for farmers to sell surface water entitlements in the open water trading market.

A number of submissions to the inquiry, including the ones from the EDOs of Australia and the Inland Rivers Network, reminds us that a 2012 Marsden Jacob Associates survey of the MDB water entitlement sellers found that 80 per cent of irrigators considered that the sale of their water had been a positive or very positive outcome and that a large number of those sellers remained in the area and continued farming. I share that information because it contradicts one of the myths that has been put around to try to justify this change with regard to water assets.

The EDOs of Australia note that contrary to assertions that, ‘banks directly forced irrigators to sell water’, the ‘survey results suggest that irrigators made the decision to sell by themselves, in consultation with family and advisors taking into account their assets and liabilities, uncertainty about future water availability, and other factors.’ We saw the way that the water assets system was set out under the plan has worked very well.

The Greens do share the concerns of the Murray Lower Darling Rivers Indigenous Nations, the River Lakes and Coorong Action Group, and the other groups that have put in very well thought out, very well argued submission to the inquiry on this bill. The Murray-Darling Basin is already suffering deep decline. The Murray-Darling Basin Plan was important and is a contribution and is certainly a positive, but probably so much more was needed. Rather than going forward, with this legislation we are going backwards.

For that reason the Greens will move a second reading amendment. I move:

At the end of the motion, add:

but the Senate is of the opinion that water purchases managed under the Act should be driven by an evidence-based approach premised on the latest climate and hydrological science.

This legislation is a great set back. I recommend our amendment. It is the one contribution we can make to try to get water policy in this country back on track.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (18:04): I too stand today to speak about the Water Amendment Bill 2015, and I commend this bill to the Senate extremely enthusiastically. I think it is one of the most significant pieces of legislation for the rural and regional communities of this country, particularly those communities that are along the length and breadth of the Murray-Darling Basin's rivers and tributaries.

Before I actually talk about why I am so keen to support the Water Amendment Bill, I want point out a few things to the House and some factual inaccuracies that have been put on the table, some scaremongering and some completely unnecessary comments that have been put forward by some groups who have sought to undermine this piece of legislation. Firstly, I draw the attention of the House to the dissenting report of the Australian Greens party, which is a report that was tabled yesterday. The Senate Standing Committee on Environment and Communications, of which I am the chair, inquired into this particular bill, and the Australian Labor Party and the coalition both agreed that this bill should be passed. However, the Greens
did dissent, and there are a couple of things in their dissenting report that I believe should be put on the record for the factual inaccuracy of what it said. In paragraph 1.3 of their dissenting report in relation to the 1,500-gigalitre cap on water, which this piece of legalisation seeks to amend in the Water Act, the Greens stated:

It undermines the very Act it seeks to amend by overriding the Commonwealth's obligations to achieve the Sustainable Diversion Limits mandated in the Murray-Darling Basin Plan by limiting how much water it may buy back from willing sellers.

First and foremost, I want to very clearly put on the record it that in no way, at no time, never has there been any intention by the introduction of this piece of legislation for the coalition and obviously with the support of the Australian Labor Party that we would ever move away from the targets that we said we would stick to for the Murray-Darling Basin Plan. Those targets of 2,750 gigalitres and the additional 450 gigalitres, which take it up to 3,200 gigalitres of water returned to the environment, are targets that nobody, but nobody, has ever sought to move away from. I think it is mischievous of the Greens to suggest that there is in any way any intention by anybody in this process to move away from those targets. It is entirely unreasonable, it is mischievous and, in a sense, it is quite damaging because it seeks to undermine the very process the Greens, purportedly, are there to support.

Another comment in the Greens dissenting report was at paragraph 1.6, where they say of the bill:

It risks substantial expenditure of public monies on projects that may further reduce the net amount of water available to groundwater or downstream water users across the Basin.

I am not quite sure how they managed to come up with that particular statement. There is nothing at all in the legislation and there nothing in terms of real, substantiated and scientifically based evidence that would suggest that that is in any way true. There is nothing at all to substantiate that, and I note that in their dissenting report the Greens do not really give any reason for why they would make that comment suggesting less water would be available to groundwater or downstream water users. There is no reason whatsoever that that would be the case. As I said, we have never, ever previously moved away from the sustainable diversion limits mandated in the Murray-Darling Basin Plan.

Furthermore, in paragraph 1.9, the Greens make the comment:

The water licensees who wish to sell water entitlements surplus to their requirements need the certainty of a guaranteed buyer in the Commonwealth, especially when times are tough.

There is absolutely no need for the Commonwealth to be in that marketplace. Since there has been a little bit of stabilisation in the market, we have already seen that the water market is finding its own level—pardon the pun. One of the main things that were a real problem was that, because the Commonwealth Environmental Water Holder was such a substantial player in this market, its capacity to influence the water market very quickly, when something changed, was creating such a level of uncertainty that the growers, irrigators and others who wanted to participate in the water market were never quite sure from one day to the next what the market was likely to do.

For example, to draw your attention to how volatile the water market was, in 2007 the price of high-security water in the downstream regions in the southern connected Basin reach in excess of $1,200 for the temporary purchase of water for a 12-month period. When you consider that at times the purchase of permanent water has barely reached that amount, you
can see how incredibly volatile this market can be. So, having such a big buyer in the marketplace can sometimes be a bad thing. If we just allow the market to operate as the market should operate, with genuine buyers and sellers of water on a commercial basis, the market will find its own price. Once again, that comment by the Greens was quite ill informed and perhaps a little bit mischievous.

Another comment made in the Greens' dissenting report was:

Only willing water entitlement sellers will sell their licenses. Indeed the unbundling of water from land has created a new asset that many irrigators have chosen to sell to create new wealth.

I think Senator Rhiannon made reference to this in her contribution a moment ago—that only willing sellers were selling their water. I can advise Senator Rhiannon that that is not the case. I come from a community in South Australia that is reliant on the River Murray for its very existence. Without the River Murray and the irrigation communities, my community would not exist. Many, many people sold their water entitlements in the past few years because of pressure from the banks. Sure, many of them did make a decision based on their business operations at the time, but in many instances those business operations were in such a dire state because of the uncertainty about their future due to water; the amount of water that had already been taken out of our communities and had put additional pressures on those that remained; and other impacts like the high price of the Australian dollar, low commodity prices and the like. So, while these people were not forced in any way, shape or form to sell their water by the Commonwealth Environmental Water Holder or by the Commonwealth government, many of them were in a position where they had no choice but to relinquish their entitlements because of the bottom line and pressure from the banks.

The survey from which Senator Rhiannon was quoting was done in 2012. It needs to be noted that that survey was undertaken at a time when there were very high quantities of water in the river. We had had a couple of years of extremely high inflows into the river, with very high rainfall in the catchment area. It was also before the implications of the start of the implementation of the Basin Plan had been seen. Quoting from a survey done at a time when there were a whole of circumstances that are largely irrelevant to the situation we find ourselves in today is probably opportunistic in terms of using a report that suits your argument but does not necessarily accurately reflect the current situation.

In the committee's hearings during the process of inquiring into the bill, the most disappointing thing was the obvious complete and utter selfishness of organisations like the Australian ENGOs, some of the green groups and even the Alexandrina Council from down around the Lower Lakes. My argument to them is that there is nothing at all in this legislation that should give anybody any concern that we do not intend to meet our targets as set by the Murray-Darling Basin Plan. Therefore, why would an environmental group even care where the water came from as long as those targets were met? To be out there actively advocating that we should not have a cap on water—something that irrigators have been desperately crying out for and something that will be of immense benefit to our irrigators, our irrigation communities and the support businesses that rely on them—and that these people cannot have the kind of security that this piece of legislation is likely to deliver is, I think, the height of selfishness. All the narrative about establishing the Basin Plan in the first place was around the fact that we needed a certain amount of water for the delivery of water for environmental purposes.
I think in the end we established an agreed position on the amount of water that we would seek to return to the environment. For ENGOs and some of the green groups to come back and say that we need to take more money from irrigators and not even allow a process that tries to get water other than by taking it out of productive use is, I think, just extraordinary. It beggars belief that they would even consider that that was an acceptable thing to do. As I said, the most important thing about this piece of legislation, which caps the amount of water that can be returned to the environment from buybacks at 1,500 gigalitres, is that it means our river communities can now have some certainty and surety into the future about the decisions that they are going to make around their businesses.

For the last four or five years, perhaps even longer than that if you take into account the impacts and the effects of the millennium drought that the basin has been suffering from prior to the Murray-Darling Basin Plan negotiations and initial implementation, irrigators have been living in an extraordinary world of total uncertainty. They do not know from one day to the next what is likely to be taken out of their community. They have no idea of what their entitlements are likely to be. They have no idea of what the future of their community will be, and they have seen their communities decimated by a thousand cuts. One week we take this amount of water out of the community. The next week somebody sells their water because they are desperate. The next week somebody sells some more of their water, possibly because of an opportunistic reason where they see it as a way of getting out and liquidating some of their assets.

What we have seen over the last six, seven, eight and nine years is extraordinary uncertainty for the communities in the basin. The possibility of being able to return some certainty to those irrigators and the irrigation communities by them knowing that only a small amount of water is likely to be taken out of productive use from buying it back from irrigators means that they can now start making plans about their future—whether they are going to replant or whether they are going to seek to buy water. It would give stability back to the water market and allow the price of water to stabilise for the first time in as many years. This is really good news for our river communities.

As I said, I was really quite distressed to think that the ENGOs and the green groups would think of denying irrigators the opportunity to be able to get some certainty back into their lives simply because they think there might be some hidden agenda here somewhere and somehow, all of sudden, miraculously, the Australian government, the Senate or, for that matter, the Australian Labor Party would countenance moving away from the mandated targets that we were seeking to achieve.

The other thing that is probably really quite distressing in the debate that we have seen from the Greens and the ENGOs is the suggestion that the coalition actually does not care about the environment. At the end of the day, the sustainability of our entire community is going to rely on a healthy river system. We recognise very clearly that a healthy river system is something that is absolutely essential. But there is no point in us having a healthy river system when we have achieved an excess of water but we have actually taken it all from productive use and there is no more water available in the basin for agricultural production. That seems to me like a very short-sighted approach to achieving water for the environment.

What we have always said—and it is something that I have said in my community for as long as I can remember—is that we should always seek to achieve the water for the
environment by means other than by taking water out of productive use. Only when we have exhausted every possible avenue within our financial limits to achieve water targets by alternative means, whether it is by constraints management, whether it is by on-farm or off-farm efficiencies or whether it is by works and measures—whatever it happens to be—only when we have exhausted every single one of those options should we start taking water out of productive use. We are a very lucky country and we have the opportunity for future economic prosperity through agriculture, but we are not going to be able to realise that agricultural prosperity for Australia if we take water out of productive use before we even try to implement efficiencies savings in the system.

There is one thing that I think has been missed in this whole argument, particularly by those ENGOs and the like who gave evidence. When I asked the ENGOs of Australia how many of the people who worked in their organisation actually lived in the Murray-Darling Basin system, their answer was that they had no one. What I would like to say to many of these groups who are very happy to stand up and grandstand about these things is that maybe it would do them the world of good to go out and spend some time living in these communities to realise that the very people who rely on the water that comes out of the river are the people who are striving to do the right thing by their river system.

If you look at the impact that has occurred within the irrigation districts in the place that I live, in the Riverland of South Australia, from the amount of water that has already been taken out of our irrigation communities, you will see that it is having a Swiss cheese effect. What it is happening is that when you take 20 per cent or 30 per cent of the water out of a community, the remaining 70 per cent of irrigators still have to pay for the infrastructure for the delivery of their water. They still have to pay all the overheads and the costs of pumping a lesser amount of water to a lesser amount of farms. So all we end up doing is pushing out the price of water and reducing the productivity in the region. This is not a responsible way to go about addressing this problem. I am not saying that, at the end of the day, the fact that we have had to take some water out of productive use may not have been necessary. It just disappoints me that we do not make that way of getting water the last resort; instead, we go out and take in excess of 1,100 gigalitres of water.

The other thing that I would like to put on the record is that in South Australia we have met our basin and valley targets of returning water for environmental purposes. Every single drop of water that has been returned in South Australia for environmental purposes, you will see that it is having a Swiss cheese effect. What is happening is that when you take 20 per cent or 30 per cent of the water out of a community, the remaining 70 per cent of irrigators still have to pay for the infrastructure for the delivery of their water. They still have to pay all the overheads and the costs of pumping a lesser amount of water to a lesser amount of farms. So all we end up doing is pushing out the price of water and reducing the productivity in the region. This is not a responsible way to go about addressing this problem. I am not saying that, at the end of the day, the fact that we have had to take some water out of productive use may not have been necessary. It just disappoints me that we do not make that way of getting water the last resort; instead, we go out and take in excess of 1,100 gigalitres of water.

The other thing that I would like to put on the record is that in South Australia we have met our basin and valley targets of returning water for environmental purposes. Every single drop of water that has been returned in South Australia for environmental purposes in order to achieve the outcomes of the sustainable diversion limits in the Murray-Darling Basin Plan has come from irrigators—every single drop has come from irrigators. I do not think it is unreasonable for irrigators in my home state of South Australia to feel comfortable about not having any more water taken from them until such time as all other avenues have been exhausted.

Before I conclude my remarks, I would like to say that on 27 August the SDL stocktake report was tabled. The SDL stocktake report is an independent report. It was commissioned and undertaken by independent assessors. It came back and said that, of the works and measures in the projects that had been put forward to try to return water that had been put up by the state governments across the Murray-Darling Basin, in its independent opinion, after undertaking the assessment, the water recovery targets that were in train at that time after
being significantly discounted and being very conservative estimates would already deliver 500 gigalitres. We said we would deliver 650 gigalitres by this means. The SDL stocktake report said we were already on track to get a 500 gigalitres. If you consider the level of discounting that had been applied to the application and calculations of the existing projects, there was a huge amount of confidence in the report that the full 650 gigalitres of the water recovery targets would be able to be met and that possibly more than 650 gigalitres would be able to be returned through the works and measures that were on foot.

In conclusion, it gives me great pleasure to be here and to be able to say to the Senate that I support the Water Amendment Bill 2015 that seeks to put a cap at 1,500 gigalitres on the amount of water that is able to be bought back from irrigators as part of the targets that are sought through the Murray-Darling Basin Plan. It gives me pleasure because I believe that it is the right thing for our river communities. I think it is the right thing for our economy in Australia. I think it is a responsible form of action to take to ensure the one thing that we said we would do in the delivery of the Murray-Darling Basin Plan, which was deliver a triple bottom line.

Initially the plan was skewed towards only environmental outcomes and was devil may care about the consequences for our river communities and our irrigators. We successfully changed it in conjunction with the opposition, which was then the government. I think that we achieved a very sensible outcome. We sought to achieve an environmental outcome that reasonably and rationally considering the communities that live along the river and that rely on water and irrigation. I commend the bill to the Senate.

Senator CANAVAN (Queensland—Nationals Whip in the Senate) (18:24): I also would like to rise to give my support to this bill, the Water Amendment Bill 2015. I want to say up-front that nothing in this bill changes the amount of water that will be provided for environmental purposes under the Basin Plan. That figure broadly remains at the level of 2,750 gigalitres, although there is an adjustment mechanism in the Basin Plan which provides some of range around that figure. This bill does not change that one iota. It does not change the amount of water that will be provided to the environment.

When I was here earlier listening to Senator Rhiannon, she said that somehow this revealed that the Nationals in particular and the coalition by extension do not care for the environment and are not prioritising the environment. The question that has to go back to her is: how does this reveal any lack of concern for the environment when it does not actually change the amount of water that will be provided to the environment?

It changes only one thing. What it does change is how we will recover that water to provide for the environment. The isolated opposition of the Greens to this reveals their true agenda. It is not to protect the environment. It is that they oppose irrigation. It is not that they want to protect wetlands. It is that they do not like intensive agriculture and they want to destroy jobs in the communities that rely on intensive agriculture for their livelihoods and sustenance and which produce the affordable foods that Australians are used to being able to consume. There are many, many farmers that rely on the Murray-Darling Basin and many families that rely on those farmers earning an income. The Greens want to make sure we have unrestricted buyback to rip the economic guts out of these communities and to rip the economic rug out from underneath those farming families.
We in the National Party and in the coalition generally are opposed to that kind of approach. We are opposed to that kind of approach because we support families that live in the basin. We support the jobs that have been created in the basin. We support the very diverse and affordable food that all Australians can eat thanks to the Murray-Darling Basin.

This is something that is really important for the whole country. It is not just important for the 2.1 million people and families who live in the basin. It is important for all Australians because we all rely on the food that is grown in the Murray-Darling Basin every week when we go down to Coles and Woolies. Every week when you go down to the supermarket you are most likely buying something that was grown or started being grown in the Murray-Darling Basin because it accounts for a full 40 per cent of agriculture in Australia. Australians are used to being able to have pretty cheap food. They are used to being able to access food at a low price. There is nothing wrong with that. But if we were to shut down the Murray-Darling Basin, which the Greens want to do with their crazy target of 6,700 gigalitres, that would completely remove the ability of Australians to buy cheap food in their shopping trolleys every week. It would not just affect the families in the basin; it would affect every family in this country if we were to follow the Greens approach, stop our ability to grow food and make food more expensive across our entire country. I do not support that. I want to support the people who grow our food in this nation. This bill helps to do that. It helps to do that because it re-emphasises that this government is committed to finding an environmental outcome which is practical and does not reduce the productive capacity of Murray-Darling Basin communities.

There are two main broad ways to recover water. There is a third way which I will go into later in my speech, but there are two main broad ways to recover water to go back to the environment. I agreed with Senator Rhiannon when she mentioned in her speech that we have overallocated water in the Murray-Darling Basin. All sides of politics agree with that. Indeed, it was the former Howard government that kicked this process off on Australia Day in 2007. There was an overallocation. But there are two broad ways to deal with that overallocation. One way is to buy the water back from farmers and reduce the amount of water that is used for food production and therefore reduce the amount of food that is produced in the Murray-Darling Basin. That is one way.

The other way is to invest in ways of using water more efficiently so that we can still produce the same amount of food in the basin at the same prices we currently enjoy and have the same number of jobs but put the water savings made from those efficient investments towards the environment. That is the other way to do it, and I believe that we should emphasise that way and not the buyback way. The buyback way destroys communities, it destroys jobs and it lessens our ability to grow cheap and affordable food. The infrastructure way is the smart way because it makes us use water smarter and more efficiently. We can still provide that water to the environment, but we will not undermine the economic efficiency of basin communities.

That is exactly what this bill does. This bill does that because it gives basin communities, the 2.1 million people in the basin, the certainty that the Basin Plan will not buy back more than 1,500 gigalitres. That is a lot of water. In round terms it is three times the size of Sydney Harbour that we will be buying back every year, on average. But it is much better to cap that
amount to provide that certainty than to leave an open-ended commitment that does not allow people in the basin to plan for their futures and invest in their own lives.

I noted that Senator Rhiannon talked about the need to provide certainty to the environment, that frogs and fishes and wetlands and trees and all these other wonderful things in God’s green planet deserve certainty on how to plan their futures. I think that people deserve that certainty too. I think people are part of our natural environment, a pretty important part of our natural environment and just as important, if I may go out on a limb, as trees, frogs and wetlands. They deserve certainty, and this bill provides them with that certainty.

There has been some contention and controversy that the Water Act cannot deliver a triple-bottom-line approach, which is what I am proposing here. I think we should treat people, the environment—trees and frogs—and society—the social structure in our communities—on an equal and level playing field. I think they should all be considered in a balanced way when we come into this place and make decisions on these matters. Those decisions need to be informed by the values we have, not just by the raw numbers and data that we have access to, because it goes to a values choice about how much you value someone’s job and community. Those things are really important and they should be considered on an equal basis with environmental factors. That is what is broadly known as a triple-bottom-line approach.

I can understand why some consider that the Water Act may fail to deliver such a triple bottom line, because in the construction of the Water Act at a federal level it did get quite complicated. At a federal level the Commonwealth government does not have constitutional powers over our river systems. This applies particularly in relation to irrigation: powers over irrigation are reserved for the states under section 100 of the Constitution. So when the Water Bill was going through the parliament in 2007, other heads of power had to be relied on to provide the Commonwealth government with the powers to legislate in this field. That influenced the drafting of the Water Act. This is most prevalent in section 3, in particular—the objects of the act. Objects (a) to (h) are listed—I do not know how many that makes—but the key ones in this context are objects (b) and (c) which state:

(b) to give effect to relevant international agreements …

—and all of those agreements relate to environmental issues such as wetlands and migratory birds—

(c) in giving effect to those agreements, to promote the use and management of the Basin water resources in a way that optimises economic, social and environmental outcomes …

That is a description of this triple-bottom-line context, but it is important to note that that triple-bottom-line definition is preceded by the qualification ‘in giving effect to those agreements’. Those international agreements, as I said, all related to environmental factors.

There is great legal controversy about whether or not those international agreements provide the government and the MDBA with the flexibility to act in a triple-bottom-line manner. I will not go into much more detail, but sections 20 and 21 are also relevant in this context, where the words ‘giving effect to relevant international agreements’ are repeated. Section 21 begins with the preamble that the Basin Plan is ‘to implement international agreements’, then later in that section it says that the Basin Plan is to have regard to things such as social, cultural, Indigenous and other public benefit processes and the consumptive and other economic uses of basin water resources. But again, those economic, social and
Indigenous priorities are all subordinate, in a way, in those sections of the act, to the overarching environmental factors. That has clearly given rise to some concern that the Basin Plan will not be implemented in a triple-bottom-line way.

This bill helps to remove those concerns, because it clearly states that the government's approach will be defined by capping the amount of water that can be bought back and capping it in a way which limits the economic harm caused by reduced consumptive and productive water use in the Murray-Darling Basin. We will instead seek to implement those other ways of recovering water—the more efficient, smarter ways—so that we can act in a way which does not harm people's jobs, does not take families off their farms and does not reduce our ability to grow cheap and affordable food.

There was something else in Senator Rhiannon's speech which grabbed me: apparently we are doing this to help big water corporations, or some such. Corporations always seem to be the bad guys in the Greens' fairytales. Water licences are now primarily owned by the Commonwealth government, but they are not the ones of interest in this particular piece of legislation. The facts are that, apart from the environmental use of water, water licences are primarily owned by family farmers in the Murray-Darling Basin. They are the people who own the asset, but they are actually not the people that we are trying to protect and target with this legislation, because they have an asset. They have a licence. As much as I want to see farming continue in this country, and intensive agriculture continue in the Murray-Darling Basin, they are not as harmed as other people when water is bought back. Under the buyback proposal an irrigator, a licence holder, has the option to sell their water licence, to achieve a good price for that asset and then have the flexibility, with those resources, to do what they like with the rest of their life. They can move to the Gold Coast or they can buy another farm somewhere else. Indeed, some of them have sold their licences and then bought other licences elsewhere. I think Senator Nash would well remember the Kahlbetzer family, who were able to sell, how much was it—

Senator Nash: $300 million.

Senator CANAVAN: $303 million worth of water licences, I think, to Senator Wong. You only get one Senator Wong in your lifetime, and Kahlbetzer has certainly made every post a winner on that deal—$303 million worth of water licences were bought by the Commonwealth government and he took off to Africa and bought massive amounts of farms and water licences there, and we were left with effectively just air. I cannot remember—I stand to be corrected—but I think that $303 million bought 109 gigalitres of water. If I were over next to Senator Nash in the chamber, I could ask the departmental adviser. But 109 gigalitres works out at about $3,000 a megalitre—about 50 per cent higher than the usual average going rate for water. It was a great deal for one of those parties, and it was not the Commonwealth government; it was the Australian taxpayer, unfortunately. Those are the options available to irrigators. They have that flexibility after they sell their licences, and good luck to them.

But there are other people who do not have that option; they do not have that flexibility. When water is bought out of a small town and economic activity falls, the people who own the motel, the tyre shop, the newsagency, the bakery or the service station do not have any water licences—they do not get any bailout from the Commonwealth government—but their turnover and their revenue definitely fall. Their businesses are definitely affected. That has

CHAMBER
been an unfortunate consequence of the Basin Plan, but we want to limit that unfortunate consequence.

Just last year I was up in St George—I was there a few months ago as well. Last year I particularly went to speak to people in St George, a country town in south-western Queensland that relies heavily on irrigated agriculture. A big water licence was bought near a smaller town close to St George called Dirranbandi. That has had a terrible effect on the town. Agricultural consultants have had to leave because there is no more business for them. The wider business community has been affected, and it is causing quite a bit of harm.

The problem for St George is that there is still a lot of work to do. Under the Basin Plan, St George is slated to have its water use reduced by around 100 gigalitres. I should say that this is for the wider Condamine-Balonne region, but, under the current proposal, most of it will come from the St George area. Then there is potentially a common pool amount which would possibly amount to around 50 gigalitres from the area, depending on the review that will be done over the next year. So they are facing a 150 gigalitre reduction. It is about a 50 per cent reduction in water use in that district. It is a third of the overall Condamine-Balonne district. For various reasons that I will go into shortly, at the moment there is not the plan to take water from those areas. They will lose half their productive asset, half their economic asset. The whole town is only there because of this. St George exists because 30 or 40 years ago we built a place called Beardmore Dam. Other farmers came into the area and built ring tanks to store water from overland flow and started growing wheat, grains, cotton and all these other products that have sustained St George. It is a beautiful town, away from the coast, in our nation, and we should protect towns like St George. I certainly want to make sure they continue to flourish in the future.

At the moment we have achieved 50 gigs or so, so we have 100 to take back, possibly 150. At the moment around 50 gigs have been recovered in the Condamine-Balonne. What has been really disappointing is that, of those 50 gigs, only about four gigs—last time I checked it was about four, but it may have changed—was recovered through infrastructure, through that option of getting more efficient. The other 46 have been recovered through buyback. If that proportion continues, St George will no longer exist in its current form, unfortunately. It will be a much diminished town. I do not want to see that. I want to protest against that happening. That is why this cap is very important. It is very important to pass this cap, but it is not the only thing we must do to save towns like St George.

I would like to conclude by briefly talking about some other issues that we need to tackle in this field to protect towns like St George—issues that I hope will be taken up in the inquiry by the Senate Select Committee on the Murray-Darling Basin Plan, which is visiting St George for a hearing on 29 September. I encourage all residents in the area to go along to that hearing, to make submissions and to have their views heard. Particularly, we have to get smarter at delivering the environmental benefits we want to deliver. For the Greens this is about reducing intensive agriculture. For those of us that are the rational political parties in this country—and I include the Labor Party in that—it is not about reducing intensive agriculture; it is about protecting the environment. That is what our goal should be.

When you go to St George and to the wider area, you learn about the environment. The Murray-Darling is not just one big old dry carpet like it is down here on the floor, where you put water down on one end of the carpet and it flows to the other end. It is not a series of
interconnected garden hoses. It is a very different and diverse system. It covers a huge area across our country. In that part of the area, when you put water in and try to deliver a water-flow event, often the water will not push down the river system unless there is a big flood; it will bifurcate at the end of the river systems into wetlands, and those wetlands are often the ones we want to target and provide water to. But we can do that in a smart way or in a silly way. We can buy back water haphazardly and chuck water down the river. There are assets we can use in this region to make sure we get the same environmental outcome without destroying towns like St George and destroying the livelihoods of the 2,000 people that live there and the lives of about another 2,000 that live in the area. There are weirs on the Culgoa and Balonne rivers in the area that we can use more efficiently to direct environmental flows towards environmental assets in a more efficient way.

The Commonwealth Environmental Water Holder are now the biggest irrigator in our country. They own the most amount of water right now—about 1,160 gigalitres of water. They are the biggest irrigator in our country and they need to get smarter about how they water their fields, just like we have expected farmers over the years to get more efficient at watering their own fields. They can do that by using assets in this region to make sure that, when we put water down the Balonne, half of it does not go down the wrong river and end up watering stuff which is actually not that much of the priority or not as important as other environmental assets. There is a weir there we can use and upgrade to direct the water to the appropriate places. I do give credit to the government, which has had a number of reports prepared on these issues recently, but now we need to act in the next couple of years to make sure that we do get smarter with this way of recovering water. I would add that we need to think about getting water from places other than just St George. There are other environmental assets upstream in the Condamine-Balonne region, around Chinchilla and Dalby, which also should be considered, particularly to minimise the impact on St George but also to help the micro and macro invertebrates is that part of the system.

The final thing I want to say is that this should not just be about water; this is about the environment. Just adding water is a simplistic way of trying to deal with this issue. This is not a cake mix that you buy down at your local shops and just add water to make it work. It needs a lot more sense to get a productive environment in our Murray-Darling system. We need to be smarter about this and look at what we are targeting, which is the environment, not people's jobs, which is what the Greens want to do.

Senator BERNARDI (South Australia) (18:44): It gives me great pleasure to rise and speak on the Water Amendment Bill 2015. Water is one of the most important resources for our nation. More specifically, it is a vital element for the prosperity of my state of South Australia. There has also been the rather vexed issue about who owns and has rights to the water as it flows through the Murray-Darling Basin. I remember the spirited discussions and debates we had in the past with our Nationals cousins, particularly from Queensland, who were obviously concerned for their communities whilst South Australians were desperately concerned for the wellbeing of their communities. I also acknowledge that there has generally been a bipartisan approach. We had some differences with the now opposition when they were in government, but there has generally been a bipartisan approach to the need to get the balance right.
You cannot just advocate for environmental flows whilst ignoring the impacts on and the costs to local communities, many of whom are entirely dependent on the health and wellbeing of the Murray-Darling Basin—none more so, I would posit, than some of the communities in South Australia, who did it extraordinarily tough during the 10 years of drought when people like Tim Flannery and the Greens party were telling us that it would never rain again, the rain would not fall in the right spots, that we would all have to move north or to Tasmania, or whatever their claim of the day was. The reality is it was a dreadful drought and emotions were very high. People were fighting very hard for their livelihoods and their communities and to represent the interests of their states. But through it all there was an acknowledgment and an acceptance that the Murray-Darling Basin is a national river system. We have to coexist and use it wisely.

It used to frustrate me when we would discover at Senate inquiries and Senate estimates that there were thousands of kilometres of illegal structures in other states that were used to store water—they had no approval—when we had communities in my Riverland region of South Australia that were desperately in need of water allocations for their citrus crops. A huge toll was taken on many communities. Some farmers and growers left the land. Some risked it all and rolled the dice to see if they could continue building their prosperity. Some were successful and, unfortunately, some were not. But through it all there was general goodwill. The general goodwill was that the Murray-Darling Basin is the lifeblood of many communities. We have to come to a compromise that will provide benefits to the communities, meet our nation's requirement for a food bowl and, of course, achieve the environmental outcomes that are very important for the long-term health of any ecosystem.

I am pleased to be speaking on this bill. The coalition has committed to implementing the Murray-Darling Basin Plan in full. It has committed to doing it on time; it has committed to doing it on budget. But, perhaps most importantly, it is going to have what some refer to as the triple-bottom-line focus that, as I mentioned, supports and maintains healthy, viable communities and the environment for the future. It is acknowledged—and there may be some dispute about this in other areas of Australia—that the basin is the food bowl of our nation. We need to make sure it is used sustainably. We need to make sure it is used prudently to ensure the survival and prosperity of both our communities and the environment for future generations. As a father—and even those of you who are not parents—I understand that we are the custodians of this land, we are the stewards of the resources and we need to make sure we are preparing our country for the challenges ahead.

I am delighted to say that we on this side of the chamber—and I acknowledge that it is not going to be opposed by those on the other side—are committed to working with the people of the basin to make sure that farmers and communities are viable and sustainable for the long term. It is not just about us; it is about future generations. The government, through the hard work of ministers and through the representations of many backbenchers who have a vested interest in this, from the point of view of representing the community—but who also have a clear and unambiguous understanding of what needs to be done—has worked with all stakeholders to deliver this triple-bottom-line outcome.

It is about delivering greater certainty. When there is greater certainty, there is an opportunity for businesses, community leaders, civic leaders, local governments, state and federal governments—every organisation imaginable—to plan for the future. Perhaps the
greatest risk to planning is the unknown. The whims and dictates of bureaucrats, governments or personalities are the things that can have a dramatic impact, more often negatively than positively, in the sustainability and viability of our regional and rural Riverland communities. The government has tried to deliver that certainty. It wants to deliver certainty for farmers, businesses, communities and, very importantly, the environment, and that is what this bill does.

I will just touch upon some of the key elements of the bill. A key element for certainty for communities and businesses is how the government is going to cover its legislative obligations, principally in recovering water for the environment. The coalition has had—and I acknowledge Minister Birmingham's work on this when in opposition—a strong, steadfast and long-term commitment to returning the Murray-Darling Basin to health, whilst also recognising and supporting agriculture. It is no good having one without the other. It is no good just chasing the agricultural basket and ignoring the health of the river or the river system. Of course you cannot sustain it without a healthy river system, and yet there is no point in having a healthy river system if it is not going to be able to be utilised for the benefit of all Australians, not just the environment. It is about getting the balance right.

This is a common-sense and logical approach that I wish was applied more often in seeking legislative outcomes. But we have it here. The government has followed up on its election commitment to give priority to investment in water infrastructure efficiencies that return water to the environment through water recovery by purchase. Investment in infrastructure is the primary method of recovering water to improve the basin environment. I have observed some of that lack of infrastructure firsthand on a number of occasions. I want to pay credit to the South Australian Riverland communities who have invested very heavily in infrastructure to prove themselves to be some of the most efficient users of Murray-Darling Basin water. But there is a sense of frustration at times when you drive through the Riverland and you see the overhead watering of certain crops in the middle of the day, and that is simply because the infrastructure is not strong enough to cope with the demands for watering—the pipes are not big enough, and the cost of putting bigger pipes in is prohibitive particularly in difficult times. But there is this commitment from these communities that they want to do the right thing, so they install drip irrigation, they try to use appropriate methods, and going to such inefficient methods of watering is a last resort. It is driven by a lack of infrastructure; even so, they have done a mighty job. The frustration is compounded when they see, upstream, much less efficient methods of watering. That is a source of frustration and I know it is something the government has acknowledged, and I know that many other communities acknowledge that, given the right incentives, given the right infrastructure, they can do a better job as well. That helps the entire health of the system.

So the government has followed through on its election commitment, and that is what this legislation is about. It is about the government meeting its election commitment to cap water purchases and focus on the triple bottom line outcomes through improving our agricultural efficiency. This is an unprecedented investment—some $12 billion to implement the Basin Plan, with several outcomes in mind but, to sum it up, to better manage our waterways through the provision of improved key water infrastructure that will benefit the environment and agriculture. Every single day between now and 30 June 2019—some senators probably will not be here in 2019, Madam Acting Deputy President O'Neill, though I have no doubt
that you will be—there will be $2.5 million invested in the future of agriculture in the basin. That is $3.9 billion going into infrastructure that will improve farm efficiency and productive capacity while returning water to the environment.

Earlier today we heard from Senator McKim in his first speech about how sustainability is the key driver for the next 100 years. When I was listening to the contributions made here I noted that the Labor Party got that mantra—they understand that sustainability is important and that is why they are not opposing this bill; they understand that investment is the key to getting productivity outcomes and environmental outcomes. What I do not understand is how Senator Rhiannon, from the Greens party, could stand up and say the Greens were opposing this bill—they are opposing it when it is all about getting better environment outcomes along with better agricultural outcomes. It is a win-win—$12 billion invested into a plan to protect the environment and protect agriculture in this country, and there are people that are opposed to it! That makes no sense when it was said earlier today that sustainability is the key driver of the next hundred years. I would suggest that we have to take with a grain of salt the Greens' supposed commitment to better environmental outcomes. There is no balance there—there is no balance at all.

To prove that there is a human dimension to this and that we are not just talking generically about communities or groups of farmers, over 10,000 individual irrigators have benefited from the government's water efficiency programs that underpin the government's approach to implementing the Basin Plan. Already, 10,000 irrigators are doing better from a productivity point of view; they are delivering better environmental outcomes as a result of the government's approach to implementing the Basin Plan. Part of that plan is about a water recovery target. I mentioned before that $2.5 million a day is going to be spent through until 2019—and there is also a water recovery target of 2,750 gigalitres by 2019. We are going to prioritise water recovery efforts through investment in on-farm and off-farm water-saving infrastructure and efficiency projects over water purchasing.

Madam Acting Deputy President, I regret that I am unable to complete my remarks tonight because I have to replace you in the chair. But there is a lot more to say. I think we need to herald the brave, courageous approach that the government has taken. I acknowledge that the opposition have chosen not to oppose this legislation for petty politicking's sake—they may have had some variations in how they might have approached it, but they recognise that this is a very important step for the security and sustainability of both our environmental river system in the Murray-Darling Basin and the agricultural communities that rely so much on it.

Senator McKENZIE (Victoria) (19:00): It gives me great satisfaction to commend this particular bill, the Water Amendment Bill 2015, to the Senate. I do thank those opposite and the Labor Party for supporting its passage through the other place.

Senator Kim Carr: Why are you holding it up then?

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Order!

Senator McKENZIE: Senator Carr—

The ACTING DEPUTY PRESIDENT: Ignore the interjection, Senator McKenzie, and please address your comments through the chair.

Senator McKENZIE: Thank you, Mr Acting Deputy President. Here is Senator Carr, from my home state of Victoria, who sat through the discussions in our own state about the
Murray-Darling Basin Plan—and how contentious it was. You saw, over and over again, rural and regional communities, which feed the food processors, in the western suburbs of Melbourne, who actually underpin your preselection. The workers in those food-processing outlets are funding and supporting you in your preselection process and yet you do not want to sit and listen anymore to us talking about legislation that will allow them to go on producing the fabulous, clean, green produce that our great state produces. Senator Carr, you harp on about advanced manufacturing and science, and yet you do not want to sit and listen to me—

The ACTING DEPUTY PRESIDENT: Address your comments through the chair, Senator McKenzie.

Senator McKENZIE: Through you, Mr Acting Deputy President, you do not want to talk about what will underpin agriculture production in our home state, Senator Carr, and food processing, and so many jobs of the Australian Workers Union in the food production sector going forward. And that is this piece of legislation, which caps water buybacks at 1,500 gigalitres. It is a happy, happy day that we bring forward this legislation.

This government and, I hope, the opposition also recognises that the Murray-Darling Basin is the lifeblood of food production in this country—from Queensland, right through New South Wales to the great food production state of Victoria, right through to your own home state, Mr Acting Deputy President Bernardi, of South Australia. Water, as the Minister for Agriculture is often quite fond of saying, is wealth. If you are involved in agriculture in any way, shape or form, without water you cannot really do much. Ask the UAE! They have huge food security issues as a result of a lack of water.

The basin is the food bowl of our nation and we need to use it sustainably. We need to use that resource very carefully and in a considered manner. There has been a huge debate publicly. I remember public forums in Mildura where some of the horticulturalists up there actually had effigies, if you like, for want of a better word, of parliamentary bureaucrats and, indeed, parliamentarians with concrete-filled gumboots. They were throwing them into the Murray-Darling River as a result of some of those community forums where hundreds of people turned up to tell the then minister for water, Minister Burke, and Craig Knowles, what they actually thought of the process of constructing the Murray-Darling Basin Plan. They told them that it was a little airy-fairy and that we were picking out numbers and not focusing on outcomes. I think what the independent report, released last week, actually shows is that they were right. We had identified the environmental assets that we as a nation thought were important to protect and the fact that we had to collectively share water in order to ensure their sustainability and ongoing health. But we did not have a number on what that looked like. The environment is fickle: sometimes it rains; sometimes it does not. What you need one year to keep those particular assets healthy, you might not need another year.

The report released last week showed that we have been really good at what we do and that some of those assets need less water, but I will get on to that a little later. I want to talk us through just how important the Murray-Darling Basin is and indeed irrigated agriculture. Located within the Murray-Darling Basin are 40 per cent of Australia's farms; 70 per cent of our irrigated land area; nine per cent of people are employed in agriculture and related support service industries; and about three per cent of people are employed in food product manufacturing and agricultural product wholesaling.
Indeed, as I mentioned in my comments, through you, Chair, to Senator Carr, there is food-processing, production and export industries in capital cities right through the Murray-Darling Basin states that actually provide many jobs. Over 300,000 jobs are currently in food manufacturing in Australia and over half of those are located in regional Australia. So there are many jobs tied up in ensuring the ongoing sustainability of agriculture production throughout the Murray-Darling Basin.

We did have a millennium drought. Irrigated agricultural production is a significant industry and, in 2012-13, it contributed $6,800 million. In 2013 irrigated agricultural production in the basin accounted for over 50 per cent of our total irrigated produce and 100 per cent of Australia's rice. Isn't it fabulous that we are exporting rice to the world? From a water perspective, we can actually produce rice really efficiently. Ninety-six per cent of Australia's cotton is grown in the basin; 75 per cent of Australia's grapes, and most of that is in my own home state of Victoria, right in Andrew Broad's great seat of Mallee; 59 per cent of Australia's hay; and 54 per cent of Australia's fruit. And did you know—here is a little known fun fact—that 80 per cent of Australia's pear production actually comes out of the heart of Senator Carr's state and mine, and that is the Golden Valley, the heart of irrigated agriculture in Victoria? And 52 per cent of Australia's production of sheep and livestock, and 45 per cent of Australia's dairy production are undertaken in the basin. When you look at our dairy production and what it is actually contributing, off the Melbourne wharfs, it is our largest export every day. I am sure there are a few MUA workers whose jobs rely on the great Murray Goulburn, which produces fabulous product right throughout Victoria but indeed in the irrigated agriculture sections, particularly around Shepparton, Katunga and the like.

But it is not just about agricultural production, as we have discussed. This is about getting a triple-bottom-line result. This was always about getting a triple-bottom-line result for agricultural production and the ongoing financial sustainability and local economic benefits, not only for farmers but for the regional communities in which they find themselves. It is also about the environment—those environmental assets that as a nation we have deemed important enough to share water on. Let's face it: water did not get into the Constitution; it was not a Commonwealth responsibility, because we were fighting about it then and we are still fighting about it. So, to actually have a bipartisan approach is quite fabulous, because it took a while to get some of the states onboard.

Did you know that the Murray River is actually the only river in the world that has its own flag? That is how important that river is to us, to our heritage and to the construction and pioneering spirit of those who came before us. But I will not bore you with that. Let's get onto the details of the bill. I think what is so exciting about how we have actually found the solution on how to balance those competing social, economic and environmental interests is that we have chosen to invest our money in infrastructure to assist farmers, to get some productivity gains, to ensure that they still can compete with the world with our fabulous clean, green product. We are investing $2.5 million every day, up to 2019, in the future of agriculture in the Basin—$3.9 billion going into infrastructure that will help improve farm efficiency and productive capacity while returning water to the environment. That has taken some work.

*Senator Kim Carr interjecting—*
Senator McKENZIE: I think about the water minister for Victoria at the time, and I know Senator Carr that you will join with me in thanking the previous Liberal-Nationals party state government's water minister, the leader of the Nationals in Victoria, Peter Walsh, for his very strong stance on this. He was not going to get steamrolled by South Australia. He was not going to get steamrolled by New South Wales. I know the now minister, Minister Neville, will be very thankful that the minister ensured that Victoria absolutely brought home the bacon when it came to positive outcomes with respect to the Murray-Darling Basin Plan. He showed absolute leadership in that area, and I know Minister Neville will be very happy to oversee the implementation of that plan.

The 1,500-gigalitre cap on water purchase was a key pre-election commitment by the coalition, and we have done several Senate inquiries into the Murray-Darling Basin Plan and its various iterations over the course of the last government. Everybody in this place will be very clear that we were always going to back communities' capacity to provide their own wealth for their families and find those savings. I heard Senator Rhiannon's comments around needing to focus on having a strong evidence base, backed by science. I could not agree more. How can we make decisions on how to balance competing interests by using anything other than science? I think the more evidence we gather through this process, the more reviews that we do, the more we go through the actual implementation process and work out how much water we need in any given space, that will become a really exciting space. I look forward to the Greens' support of those various reports, which will absolutely be backed with science. Putting a certain number of gigalitres down the river and forgetting that the Barmah Choke exists I think just shows that evidence is really, really important; having an understanding of the local context of the policy outcomes you want to implement is really, really important.

On 5 August the Commonwealth, along with the New South Wales government, announced a $263.5 million investment for round 5 of the On-Farm Irrigation Efficiency Program. This investment upgrades farm infrastructure in the southern New South Wales basin, returns 20 gigalitres of water to farmers and returns 77 gigalitres of water to the environment, which I think is really important. When we talk about an evidence base, as I mentioned earlier, there was an independent stocktake report—which I am not sure you mentioned, Senator Rhiannon, but hopefully other Greens senators contributing to this debate may—on 27 August, into the sustainable diversion limit adjustment process. The report vindicated the progress of the Murray-Darling Basin Plan implementation and showed that projects are on track to deliver the environmental outcomes outlined under the Basin Plan. It actually showed that over 500 gigalitres less water is needed to meet the environmental targets in the plan and that states are on track to deliver the required projects. How fantastic that states and communities, farmer organisations and irrigation councils are working together to actually implement the Murray-Darling Basin Plan to the point that we are saving over 500 gigalitres of water. That is what we do know. It is not more water, Senator Hanson-Young, but less, which I think is absolutely fantastic.

Consultants Mr Turner and Mr Martin were chosen by the Basin Officials Committee to undertake the stocktake. This included not just assessing favourable projects that might give us the result they want. It was a comprehensive, independent report using a methodology that nobody could argue with—assessments of 36 supply and constraint measure proposals currently being proposed by jurisdictions as potential projects in the sustainable diversion
limit adjustment mechanism. That is going to reduce the need for water recovery while still delivering the plan’s environmental outcomes. That is fabulous news. So, congratulations, because when we look at water-recovery strategies—that is, buybacks and the impact of the former government’s approach to finding water—that had devastating effects on our communities: $1 billion of taxpayers' money to devastate communities like the Pyramid Hill district, which lost over 50 per cent of its original high-security entitlement in less than a decade. We have the unrelenting buyback plan of the former government that devastated communities as water was removed from systems leaving a greater and greater burden on those who chose to stay.

We also had the millennium drought which further exacerbated the financial and mental stress on those families who were deciding if they should stay in the game—should they still be dairy producers—or should they sell their water entitlement and take their luck on the market with an ever-decreasing equity in their property? The former government’s approach was very, very concerning, but I am very, very glad that they are on board with our commitment to infrastructure, and I am extremely grateful for their support in implementing this cut, because this is something that our community has called for—our farmer groups, the NFF, the irrigator councils and local producers right across regional Victoria were wanting to know that no more would somebody be swooping in and buying water in an open market with a chequebook that they could not compete with. They could not compete with the Commonwealth coming in and buying water for the environment and undermining them.

In the brief minutes remaining, I wanted to comment on some of the responses of the states, in particular over the last month or so, to this issue. On 7 September there was an article in The Land stating:

The South Australian and Victorian governments had opposed the 1,500GL cap, which threatened the fate of the Water Amendment Bill 2015 introduced into parliament in late May.

But the two states shifted position this week after the Parliamentary Secretary to the Environment Minister Bob Baldwin released an independent stocktake report on the progress of the environmental water flow targets—

The article went on to say:

Mr Baldwin—

the parliamentary secretary—

said the report showed that more than 500GL less water was needed to meet the plan’s target, and it was reasonable to achieve up to 650 GL less water to meet the plan's 2750GL baseline target.

There were some issues, obviously—New South Wales southern irrigators are still disappointed—but the VFF in my home state is very, very happy. The South Australian and Victorian governments have both backed the federal coalition’s plan to legislate the 1,500-gig cap on Commonwealth water buybacks, paving the way for bipartisan support. Obviously, both the Victorian and South Australian governments are led by the Labor Party. Minister Neville's spokesman said that the state was not opposed to the cap. The spokesperson for Minister Neville said:

We want to see certainty for communities and businesses in the (state's) north and environmental outcomes.
That is exactly what we want to see too—certainty—and I am so glad that Senator Carr is going to be voting in favour of this bill and supporting Minister Neville.

**Senator Kim Carr:** Mr Acting Deputy President, I rise on a point of order going to relevance. I am concerned that Senator McKenzie has not explained to us why there are six government speakers—

**The ACTING DEPUTY PRESIDENT:** There is no point of order. Resume your seat, Senator Carr. Senator McKenzie, you have the call.

**Senator McKenzie:** I am so passionate about this issue—

**Senator Kim Carr:** No, you are not! You obstruct, you filibuster!

**Senator McKenzie:** If you were equally passionate, Senator Carr, about the productive capacity of our home state, you would also be rising to add your voice to the National Party, to the Liberal Party and to crossbench senators who support the cap. If you look at my contribution on this particular topic over the time that I have been here, you will see that this is not the first time that I have spoken about it.

**Senator Kim Carr:** At length on a non-controversial bill!

**Senator McKenzie:** Senator Carr—through you, Mr Acting Deputy President—just because you do not like the sound of my voice or what I am saying does not mean you do not have to listen.

**The ACTING DEPUTY PRESIDENT:** Order!

**Senator McKenzie:** The National Farmers' Federation said that this was demonstrating significant goodwill, making comments publicly about how the uncertainty had undermined community confidence. If there is one thing you need in agriculture it is confidence. I commend the bill to the Senate. *(Time expired)*

Debate interrupted.
Senator SMITH (Western Australia) (19:20): One of the characteristics of history is that we do not realise we are living through it until after the fact. As senior US presidential advisor, cabinet member and author John Gardener put it, 'history never looks like history when you're living through it'. However, today is one of those occasions on which we should appreciate a moment in history as it occurs, because the symbolism of the moment is one of rich significance for our country. Today, as senators will be aware, Her Majesty Queen Elizabeth II becomes the longest-reigning monarch to occupy the throne. In observing that occurrence today, I believe we are doing more than marking the achievement of an individual sovereign, remarkable though it is.

Today's occasion is as much as tribute to the institution of the Crown itself as it is to the remarkable woman who has occupied the throne for 63 years and 217 days. Those who sing the words of 'God Save The Queen' pray that the monarch is 'long to reign over us'. We should of course be thankful that prayer has been answered.

It is entirely in keeping with the dignified and graceful approach to her duties as sovereign that the Queen herself has requested that today be one of simple observance, rather than one of celebration. After her lifetime of service and devotion to duty, it is entirely appropriate that Her Majesty's wishes be respected in this regard. At the same time, it is opportune to reflect on the values and traditions for which the Crown stands and which have undoubtedly sustained the Queen and nations of the Commonwealth alike over the long period of her reign.

They are values which are timeless and which the Queen herself pledged to preserve in a broadcast made on the very evening of her Coronation, on 2 June 1953:

Parliamentary institutions, with their free speech and respect for the rights of minorities, and the inspiration of a broad tolerance in thought and expression—all this we conceive to be a precious part of our way of life and outlook.

During recent centuries, this message has been sustained and invigorated by the immense contribution, in language, literature and action, of the nations of our Commonwealth overseas. It gives expression, as I pray it always will, to living principles, as sacred to the Crown and Monarchy as to its many Parliaments and Peoples. I ask you now to cherish them—and practise them too; then we can go forward together in peace, seeking justice and freedom for all men.

I think it is significant that at the moment she was crowned, the Queen's mind was very clearly focused on freedom of speech and the protection of minorities as being the ones that most clearly defined the values of the Crown and the Commonwealth it serves.

This spirit was also captured by an editorial in The Sydney Morning Herald, which appeared the day after the Queen's coronation, that noted the occasion was one for Commonwealth nations to 'count up anew the benefits of their unique association', because the Commonwealth stood 'as a bulwark of sanity and order in a bewildered world'. It went on to suggest that Her Majesty's coronation was auspicious; the dawning of a new Elizabethan age that could:

...forge within the Commonwealth a unity of purpose and a concentration of influence that could write a chapter...worthy to rank with the bravest chapters of the past.
I would contend that there was much prescience in that observation. Think about the role the Commonwealth played in the fight against apartheid in South Africa or the injustices perpetrated by Robert Mugabe in Zimbabwe—both situations in which Australia played a leading role.

Then, of course, there is the more recent Charter of the Commonwealth, signed by the Queen in 2013, which noted that Commonwealth nations are 'implacably opposed to all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds'. In this statement, we hear echoes of the very same sentiments expressed by the Queen in her Coronation address. It is this consistency and sureness of purpose that explains the durability of the Crown in a world that is much changed.

So tonight I think it is appropriate to reflect on the relationship between Australia and the Crown—a relationship that has undergone significant change over the decades of the Queen's reign, but one which endures and remains strong.

The Queen herself has opened sessions of this parliament on three occasions—in 1954, 1974 and 1977, all when parliament still sat at the Old Parliament House. Of course, she also opened this new and permanent Parliament House in May 1988 and has been a visitor to the building on several occasions since, most recently in October 2011. It was in her first address to the Australian Parliament, in 1954, that Her Majesty emphasised the central place of the Crown within Australia's parliamentary structure. At the outset, she noted the very first section of the Australian Constitution, which establishes that legislative power shall be 'vested in a Federal Parliament, which shall consist of the Queen, a Senate and a House of Representatives'. She went on to say:

It is therefore a joy for me, today, to address you not as a Queen from far away, but as your Queen and as a part of your Parliament. In a real sense, you are here as my colleagues, friends and advisers. She then went on to outline those institutions for which the Crown stood and which are the foundation of the unity between the Commonwealth of Nations—being parliamentary sovereignty, a democratically controlled executive and the just and impartial administration of the law. As she noted:

They have, in this century, survived the greatest trials of war and economic hardship. She also described Australia as a nation where 'growth and progress are manifest, a country of freedom, eloquent of that true democracy which dignifies and expresses the individual human being'. Those words ring as true today as they did when Her Majesty said them during her first visit here in 1954. This is not by accident, or chance.

The strength of the Crown endures because, in subtle but important ways, it is an institution that is constantly evolving, in a way that promotes its continuing relevance. The very fact that Australia's democracy is one of the longest-enduring in the world is a testament to the fact that the sinews of our system of government do not break under strain; they are supple and they flex to take account of modern needs.

For the myriad of cultural, language and economic differences that could potentially divide the nations which make up the modern Commonwealth, they instead remain bound together by commitments to personal liberty, religious freedom, the right to freedom of expression and an inherent understanding of the dignity and worth of every individual. In a 21st century
context, these are the values that sustain support for the Crown across geographic boundaries and give it ongoing relevance in a changing world.

For supporters of the Crown within a parliamentary democracy, the continuing task is to highlight the role the Crown plays in promoting these shared values in a dignified, non-political manner, which strengthens unity and protects democratic ideals in the face of challenges from other ideologies around the world. Again, this is something which our present monarch has done with great acumen, with an eye to consistency and with enormous dignity.

On this day, when the Queen becomes our longest reigning sovereign, I am sure all parliamentarians would wish to join with me in acknowledging and thanking Her Majesty Queen Elizabeth II for her lifetime of devoted service and dedication to duty. Long may she reign.

Canning Electorate

Senator LINES (Western Australia) (19:29): I feel I have to say that I am a republican, but I am sure that would not surprise those opposite. I want to talk tonight about the seat of Canning and start by saying that whatever by-election commitments Mr Abbott makes in the seat of Canning, however many millions of dollars he commits, must be balanced against the millions of dollars he stripped out in other ways. Pensioners, families and students are all directly affected by what Mr Abbott and his WA MPs and senators do in Canberra. If you visit a doctor, if you need a prescription or if you drive a car your costs have all gone up under Mr Abbott, his WA MPs and his WA senators. These policies, which increase the cost of living for voters in Canning, are the policies the Liberal candidate for Canning, Mr Andrew Hastie, is signing up to.

The pensioners of Canning will miss out if Mr Abbott and his candidate have their way. Independent analysis by Professor Peter Whiteford puts the pension at currently equal to 28 per cent of average weekly earnings. Under Mr Abbott's plan, pensioners will drop to just 16 per cent of average weekly earnings. Under Mr Abbott's government's measures this will mean over time up to $80 a week less for pensioners in Canning, and it is a $15.5 million hit to the seat of Canning.

Some 11,000 families, or more than 10 per cent of the electorate of Canning, would be affected if Mr Abbott got his way on Family Tax Benefit B. Under Labor, this benefit continues until the youngest child turns 18, if they are still in education. This attack on families, this desire by Mr Abbott and his WA team, to get rid of Family Tax Benefit B is stuck here in the Senate. But make no mistake, it is the policy of Mr Abbott and his WA MPs and senators to take this money off families in Canning.

Mr Abbott and every WA MP and senator have confirmed that they are determined to increase university fees, making university fees unaffordable for students or for aspiring students in Canning—$100,000 degrees. Despite this measure not passing the Senate on numerous occasions it is still their plan, it is still their intention, and it will be the intention of the Liberal candidate for Canning if he is elected to the federal parliament. He will put up his hand and vote up this measure to disadvantage students and aspiring students in the seat of Canning, to introduce $100,000 degrees.
Unemployment in WA, unfortunately, under the shocking economic management of Colin Barnett coupled with the harsh Abbott government measures is at an all-time high because WA is experiencing a downturn in the mining boom. It has to be said that under the Colin Barnett Liberal government they squandered the boom. Now Mr Abbott is trying to make life much tougher for families and the unemployed in Canning. There are many fly in, fly out workers in Canning who will be worrying about their jobs. They will be worrying about their futures and they will certainly be worrying about their families. Of course, Mr Abbott does not have a plan. He thinks jobs will somehow materialise out of the China-Australia Free Trade Agreement. What he is not being truthful about is that Australian jobs, local jobs in Canning, are under threat in the China-Australia Free Trade Agreement. For some jobs labour-market testing has been abandoned for projects over $150 million, which in Western Australia is every resource project and in the Perth central business district it is every construction job.

Just recently when in Canning, Mr Abbott denied that his departmental staff told a Broome cruise ship operator that he should take the Australian flag off the back of his ship, sack his 60 Western Australian seafarers and hire cheap foreign labour. Yesterday in the parliament when confronted with the truth the Deputy Prime Minister, Mr Truss, said that 60 Australian jobs was a trivial matter. It is not a trivial matter in Western Australia and it is certainly not a trivial matter in the seat of Canning. I am still waiting for Mr Abbott to apologise to Mr Milby from North Star Cruise Ships for asserting he was lying about being told to sack his Australian workforce. The Prime Minister came to Western Australia, came to the seat of Canning, and made that accusation about a Western Australian business person. It is now seven days since Mr Abbott made that accusation and there is still no apology.

In relation to jobs the voters of Canning cannot trust, and do not trust, the Abbott government. They cannot tell the truth about ChAFTA. The Abbott government have been given opportunity after opportunity and, indeed, their candidate for the seat of Canning, cannot tell the truth about Canning. They certainly cannot tell the truth when it comes to a local Western Australian cruise ship operator.

Youth unemployment in Canning, particularly in the suburb of Mandurah, is alarmingly high at 14.6 per cent. What was the response of Mr Abbott and his Liberal candidate? They said: 'Let's punish young people. Let's make them wait at least a month before they can get a benefit and during this month they are expected to double their efforts to find a job, and if they didn't, well, the month without benefits could be extended.' How does Mr Abbott and his Liberal candidate for Canning expect young people to find a job without money? What about their accommodation and their food? How do they get to job interviews or make sure their clothes are up to the mark for job interviews? How do they manage their basic needs without money?

Mission Australia, highlighted the same issue at a recent Senate inquiry on the bill compelling young people to wait four weeks before being eligible for a benefit. They said: We are concerned, however, that the current budget measures before us risk taking a punitive approach to young people in the current labour market, where there is only one job available for every six job seekers. Youth unemployment has remained stubbornly high since the global financial crisis, and in some areas where we work it is as high as 30 per cent.
Luckily, today in the Senate, that bill was defeated because Labor senators and others voted against it. But of course it is still the policy of the Abbott government and its candidate for Canning, and I am sure it will be brought back again.

Now the Liberal candidate for Canning is trying to pretend that somehow he is running for President of the Republic of Canning! He has said he will take a hard line in Canberra. He will not take a hard line in Canberra; he will toe the line. He will sign up to $100,000 university degrees. He will sign up to taking money off pensioners. He will sign up to making it more expensive to go to the GP. He will sign up to making it much harder for young people to get unemployment benefits. Those are Liberal party policies; he is the captain's pick to run in the seat of Canning; and so these are the policies that he will vote 'yes' to in this place, despite him trying to convince the voters of Canning to the contrary. The fact is we have not seen one Western Australian MP or senator do anything but vote for these policies, and he will vote for them in the same way. He is trying to distance himself from the PM and his harsh budget measures. But, as I said, the Liberal candidate is another captain's pick and he will do as he is told, just as all the other WA MPs and senators do. All of them support the PM's harsh budget measures, and so will the Liberal candidate for Canning, if he is elected.

Education Funding

Senator WANG (Western Australia) (19:39): I rise today to advocate for sharpening public awareness and visibility of, and action on, Australia's early learning, primary and secondary education policy and practice. I continue to spend a great deal of my time digesting front-line practicalities, collating parent and teacher feedback and professional research conclusions. I am disturbed on several levels by our findings, and will cite here a selection of examples of the challenges that we not only face but should long have known and that it seems we are still not addressing.

I will start with the observation that Australia is far too captive to the destructive effect of the political election cycle. Expensive research and development projects, frequently costing millions of dollars, proposed by a government of one political disposition are abandoned in a dismissive manner by a new government of the other mainstream party. Cost does not seem to matter, except to the unfortunate taxpayer. There are several major instances where this persists, but for now let me settle on the Gonski review.

Published in 2011, this comprises 319 pages. I repeat: 319 pages. The size of the report is indicative of the volume of work undertaken. Many experts have taken the opportunity to critique Gonski. Regardless of one's political persuasion, it must be acknowledged that the review does contain some observations and conclusions deserving of respect for their intellectual quality. This is too complex an environment to allow for a simplified endorsement or rejection, especially within the limitations of this adjournment speech. In particular, I have paid attention to matters of equity, to the ongoing impact of educational disadvantage and to Australia's justifiable concern about the risk arising from socially biased policy and the prospect of a growing underclass as a consequence of young people growing up without positive, socially mixed exposure in their formative years.

How is it that such a significant investment—remember that word, 'investment'—in a studious examination of our school system funding policy and practice can be so completely disregarded and dismissed as being without any redeeming features? I ask, with the degree of urgency that is so lacking in Australia right now: is every topic heading, funding issue
discussion or recommendation in the Gonski report seriously without value? Further, how
does this apparent inertia square with the feeling among professional educators, teachers and
parents that investment in our early learning through primary and secondary education is
adrift?

Earlier this year, the Australian Council for Educational Research published *Imperatives in
schools funding*. This is a thoughtful and thought-provoking document worthy of priority
attention. It is by no means the exclusive source of value. But when I consider the high
volume of related matters being digested in my office, especially under our research and
innovation banner, it adds weight to the argument that we do not have the luxury of time if we
are to hold our own in educational rankings in the medium- to long-term globally competitive
environment. On page 62, the ACER paper employs the subheading 'A funding scheme at war
with itself'. For me, that epitomises Australia's great hindrance to our own progress in the
world.

Of course, the devil is in the detail, but that does not mean we should ignore pressing issues
or pretend that they are not urgent. Getting this right is very urgent. I will cite here one article
from The Conversation in March 2015, because it accords with the continuing academic and
practical research findings of my office:

Six ways Australia's education system is failing our kids
1. Australian teens are falling behind, as others race ahead.
2. Declining participation in science and maths.
3. Australian education is monolingual.
4. International and migrant students are actually raising standards, not lowering them.
5. You can't have quality education without quality teachers.
6. Early learning participation is amongst the lowest in the developed world.

It is extraordinary to note that federal funding for private schools is disproportionately
increasing while public school funding will be indexed to inflation from 2017. This is a time
when our priorities should be clear and shared across party lines. We should invest in creating
an equitable education system, an inclusive start in life for our young generations across the
socioeconomic talent and skills spectrum; and avoid the growth of an underclass with all the
negative implications that flow with segregated modes of schooling. What we do now creates
a legacy. If in our school education system we fail to actively and sincerely honour the
Australian mantra of giving everyone 'a fair go', there will be an unaffordable price to pay in a
few years time.

Rural Women's Award

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (19:45):
Tonight it gives me great pleasure to speak on the Rural Industries Research and
Development Corporation's Rural Women's Award. While we are in the chamber tonight the
annual award dinner is being held in the Great Hall. It is a fantastic initiative that RIRDC
undertakes to encourage rural women in Australia to achieve their potential. There is no doubt
that it is the pre-eminent award for Australian rural women. It aims to identify and support
emerging women leaders who have proven their desire, their commitment and their leadership
potential to make a greater contribution to primary industries and our rural communities.
The award acknowledges the leadership capacity of these women. It strives to effect change and to influence outcomes through connecting women, collaborating and creating opportunities for women to be able to reach their full potential in their particular areas of activity. It also encourages the primary industries themselves and their communities to embrace diversity and leadership. It also seeks to embrace future challenges through the increased involvement of women in the decision-making process in rural and regional Australia.

The award sponsors these women both professionally and financially. Each territory and state has a winner. Tonight there are seven state finalists who are eagerly awaiting the announcement of who will be the national winner. Each of the seven women who has been chosen as the person from their state is already a winner in their own right. They will receive a $10,000 bursary, which they can use in the way that they like—on a project or a plan—so that they can develop their passion or the idea that they want to do for their business or community. They will also be put through the Australian Institute of Company Directors course so that they can have the opportunity to learn more about the senior management roles, which our rural women so often miss out on. So it is an amazing opportunity for our rural women to further their leadership development.

One of the other things that this award does very successfully is gather together the alumni—the winners from previous years. These women, who have been successful and have had their year as a winner, mentor and assist the next round of winners. I would like to acknowledge Mary Retallack, who was the South Australian winner in 2012. Mary continues to come back, even at her own expense, because she believes that having once won this award that she has a responsibility and an obligation to mentor the women who follow her. She is here tonight. She is mentoring women in the wine industry, which is Mary’s background, but she is also here to support our South Australian finalist.

The award is open to all women who are involved in primary industries or rural Australia. It does not require any formal qualifications whatsoever. All the applicants have to do is express their interest through an expression of interest process and fill in their application form. The application process alone provides a leadership development opportunity, because the organisation, the RIRDC, requires the applicants to go through a very detailed process in order to assess their applications.

The bursary that I mentioned earlier can go towards developing a plan, a project or an initiative that the applicant believes is going to contribute to Australia. It could be in the area of innovation, creativity, community sustainability, education, productivity, agribusiness or regional development. Any of these areas are acceptable. The award can be used for formal training in business management, leadership, overseas study, establishing business plans or pilot programs, developing educational promotional campaigns, networking, forums, conferences, increasing knowledge in industries and markets or developing training programs. It is a very, very broad range of things in which the winners are able to use their money to invest in their own future.

As I said, tonight there are seven winners sitting in the Great Hall at the moment, waiting for the Minister for Agriculture, on behalf of RIRDC, to announce the winners. I would certainly like to acknowledge those winners. From South Australia, Sarah Powell is the finalist. Sarah is part of a family-run mixed-farming business at Wharminda, on the Eyre
Peninsula. Sarah's great belief is that community groups are an important vehicle for young people and women to gain access to the essential skills and confidence that will ultimately increase their community participation. She also believes that the culture of mentoring in sporting clubs empowers young ambassadors and gives them confidence and motivation to step up in their clubs and communities. She is intending to use her $10,000 bursary to establish and manage a pilot program called the Champions Academy to foster personal development through sport and mentoring and teaching aspiring leaders how to lead by example, act with integrity and think selflessly.

Sherrill Stivano is the winner from Queensland. She is a partner in her family's cattle feedlot operation and hay growing business near Roma, in Queensland. Sherrill was the founding member of the Ask An Aussie Farmer social media campaign, which came to light at the time of the live export bans. She believes in bringing together consumers and farmers through the use of social media and that building a mutual understanding of what goes into producing Australian food and fibre is something that needs to be addressed and also bringing the consumer in touch with the farmer.

The Tasmanian finalist this year is Carol Bracken. Carol is a hazelnut grower from Glengarry. She established Tamar Valley Hazelnuts with her family five years ago. She is a passionate supporter of emerging industries, particularly in Tasmania. She believes that boosting local jobs and the diversity of industries in her state is an absolute priority.

The 2015 Victorian winner is Katie Finlay. Katie is a third-generation orchardist who owns and operates the Mt Alexander Fruit Gardens, which grows more than 90 different varieties of organic fruit. Katie believes that creating strong and sustainable local food systems is important. She also wants to encourage better connections between consumers and farmers and hopes to raise awareness of the food that is grown in our community and provide better opportunities for farmers to sell directly to consumers. To achieve this, she would like to support farmers to take greater control over their supply chains by taking part in farmers' markets, using social media to share stories and develop communities around farms.

The Western Australia 2015 winner is Tress Walmsley. Tress is the chief executive officer of Intergrain. She has built a successful career in the grains industry. Her passion is about involving women in the grains industry. Her previous work in the TopCrop Families program facilitated young female growers to undertake study tours of the east coast of Australia to see how things were done on the other side of the country.

The New South Wales winner is Cindy Cassidy. Cindy comes from the Riverina region. She settled there on a family farm with her young daughter to take up the role of chief executive of FarmLink Research, a non-profit farming system group based in Temora servicing farmers and agribusinesses across that region. Cindy's ambition is to improve the relevance and effectiveness of local agriculture extensions in order to support farmers in the adoption of innovations and to maximise returns from investments in agricultural research and development.

Finally, the Northern Territory winner is Dr Sally Isberg. Sally runs her own company, the Centre for Crocodile Research, which conducts research and development programs to increase the efficiency and productivity of the Australian crocodile industry. Sally's ambition is to encourage more women scientists to diversify into primary industries and research.
You can see the seven women who have been successful in becoming winners for their state or territory have two main areas of endeavour. One is to further the opportunities that research and development give the agricultural industry in Australia. The other is to create greater connections between consumers and farmers so that people understand far better where their food comes from.

One of the very important things that has come out of this whole particular program is an understanding of the lack of understanding of consumers in metropolitan areas about where their food comes from, how it is grown and how important it is that we as a country continue to foster and nurture our agricultural industry. One thing is for sure: in the future, Australia will have a huge opportunity to be a world leader in food growing. But, most importantly, we need to pick up the opportunities that we have for innovation and technology in food manufacturing. This group of young women who have been successful winners are going to further those opportunities for all Australians.

Senate adjourned at 19:56

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

Tabling

The following documents were tabled pursuant to standing order 61(1)(b):
Migration Act 1958—Section 486O—Assessment of detention arrangements—
Volume 1—Personal identifiers 1001585, 1001836, 1001880, 1001898, 1001904, 1001927, 1001950, 1001966, 1001975, 1001981, 1001985, 1001997, 1002012, 1002014, 1002016, 1002021, 1002024, 1002034, 1002044, 1002049, 1002054, 1002057, 1002069, 1002070, 1002081, 1002083, 1002108, 1002110, 1002125, 1002137, 1002141, 1002153, 1002168, 1002176, 1002192, 1002201, 1002203, 1002229, 1002271, 1002278, 1002299, 1002369, 1002419, 1002422, 1002434, 1002436, 1002437, 1002438, 1002439, 1002440, 1002441, 1002442, 1002445 and 1002446
Volume 2—Personal identifiers 1001829, 1001908, 1001911, 1001948, 1001973, 1001998, 1002003, 1002033, 1002039, 1002045, 1002072, 1002126, 1002127, 1002144, 1002182, 1002199, 1002212, 1002239, 1002240, 1002250, 1002254, 1002257, 1002265, 1002281, 1002319, 1002349, 1002360, 1002404, 1002416, 1002429, 1002435, 1002463, 1002478, 1002479, 1002502, 1002526, 1002537, 1002551, 1002570, 1002571, 1002607, 1002621, 1002622, 1002623, 1002624, 1002625 and 1002662—
Commonwealth Ombudsman's reports, dated 9 September 2015.
Government responses to Ombudsman's reports, dated 8 September 2015.
Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for 1 April to 30 June 2015.

Departmental and Agency Files

The following documents were tabled by the Clerk pursuant to the order of the Senate of 30 May 1996, as amended:
Indexed lists of departmental and agency files for the period 1 January to 30 June 2015—Statements of compliance—
  Australian Taxation Office.
  Foreign Affairs and Trade portfolio.
  Infrastructure and Regional Development portfolio.
  Office of the Official Secretary to the Governor-General.