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

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<td>Month</td>
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<td>February</td>
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<td>August</td>
<td>16, 17, 18, 22, 23, 24, 25</td>
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<td>November</td>
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FORTY-THIRD PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

Senate Office holders

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

Senate Party Leaders and Whips

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

Printed by authority of the Senate
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<th>Senator</th>
<th>State or Territory</th>
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<td>Abetz, Hon. Eric</td>
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<td>Adams, Judith Anne</td>
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<td>Arbib, Hon. Mark Victor</td>
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<td>Back, Christopher John</td>
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<td>Bernardi, Cory</td>
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(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

**PARTY ABBREVIATIONS**


**Heads of Parliamentary Departments**

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

Minister for the Arts: Hon. Simon Crean MP
Minister for Social Inclusion: Hon. Tanya Plibersek MP
Minister for Privacy and Freedom of Information: Hon. Brendan O'Connor MP
Minister for Sport: Senator Hon. Mark Arbib
Special Minister of State for the Public Service and Integrity: Hon. Gary Gray AO, MP
Assistant Treasurer and Minister for Financial Services and Superannuation: Hon. Bill Shorten MP
Minister for Employment Participation and Childcare: Hon. Kate Ellis MP
Minister for Indigenous Employment and Economic Development: Senator Hon. Mark Arbib
Minister for Veterans' Affairs and Minister for Defence Science and Personnel: Hon. Warren Snowdon MP
Minister for Defence Materiel: Hon. Jason Clare MP
Minister for Indigenous Health: Hon. Warren Snowdon MP
Minister Assisting the Prime Minister on Mental Health Reform: Hon. Mark Butler MP
Minister for the Status of Women: Hon. Kate Ellis MP
Minister for Social Housing and Homelessness: Senator Hon. Mark Arbib
Special Minister of State: Hon. Gary Gray AO, MP
Minister for Small Business: Senator Hon. Nick Sherry
Minister for Home Affairs and Minister for Justice: Hon. Brendan O'Connor MP
Minister for Human Services: Hon. Tanya Plibersek MP
Cabinet Secretary: Hon. Mark Dreyfus QC, MP
Parliamentary Secretary to the Prime Minister: Senator Hon. Kate Lundy
Parliamentary Secretary to the Treasurer: Hon. David Bradbury MP
Parliamentary Secretary for School Education and Workplace Relations: Senator Hon. Jacinta Collins
Minister Assisting the Prime Minister on Digital Productivity: Senator Hon. Stephen Conroy
Parliamentary Secretary for Trade: Hon. Justine Elliot MP
Parliamentary Secretary for Pacific Island Affairs: Hon. Richard Marles MP
Parliamentary Secretary for Defence: Senator Hon. David Feeney
Parliamentary Secretary for Immigration and Multicultural Affairs: Senator Hon. Kate Lundy
Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing: Hon. Catherine King MP
Parliamentary Secretary for Disabilities and Carers: Senator Hon. Jan McLucas
Parliamentary Secretary for Community Services: Hon. Julie Collins MP
Parliamentary Secretary for Sustainability and Urban Water: Senator Hon. Don Farrell
Minister Assisting on Deregulation and Public Sector Superannuation: Senator Hon. Nick Sherry
Minister Assisting the Attorney-General on Queensland Floods Recovery: Senator Hon. Joe Ludwig
Parliamentary Secretary for Agriculture, Fisheries and Forestry: Hon. Dr Mike Kelly AM, MP
Minister Assisting the Minister for Tourism: Senator Hon. Nick Sherry
Parliamentary Secretary for Climate Change and Energy Efficiency: Hon. Mark Dreyfus QC, MP
SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade
Leader of the Nationals and Shadow Minister for Infrastructure and Transport
Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations
Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts
Shadow Treasurer
Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals
Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate
Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee
Shadow Minister for Energy and Resources
Shadow Minister for Defence
Shadow Minister for Communications and Broadband
Shadow Minister for Health and Ageing
Shadow Minister for Families, Housing and Human Services
Shadow Minister for Climate Action, Environment and Heritage
Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship
Shadow Minister for Innovation, Industry and Science
Shadow Minister for Agriculture and Food Security
Shadow Minister for Small Business, Competition Policy and Consumer Affairs

Hon. Tony Abbott MP
Hon. Julie Bishop MP
Hon. Warren Truss MP
Senator Hon. Eric Abetz
Senator Hon. George Brandis SC
Hon. Joe Hockey MP
Hon. Christopher Pyne MP
Senator Hon. Nigel Scullion
Senator Barnaby Joyce
Hon. Andrew Robb AO, MP
Hon. Ian Macfarlane MP
Senator Hon. David Johnston
Hon. Malcolm Turnbull MP
Hon. Peter Dutton MP
Hon. Kevin Andrews MP
Hon. Greg Hunt MP
Mr Scott Morrison MP
Mrs Sophie Mirabella MP
Hon. John Cobb MP
Hon. Bruce Billson MP

[The above constitute the shadow cabinet]
SHADOW MINISTRY—continued

Shadow Minister for Employment Participation
Hon. Sussan Ley MP

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

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

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

Shadow Minister for Universities and Research
Senator Hon. Brett Mason

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

Shadow Minister for Indigenous Development and Employment
Senator Marise Payne

Shadow Minister for Regional Development
Hon. Bob Baldwin MP

Shadow Special Minister of State
Hon. Bronwyn Bishop MP

Shadow Minister for COAG
Senator Marise Payne

Shadow Minister for Tourism
Hon. Bob Baldwin MP

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

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

Shadow Minister for Regional Communications
Mr Luke Hartsuyker MP

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

Shadow Minister for Seniors
Hon. Bronwyn Bishop MP

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

Shadow Minister for Housing
Senator Marise Payne

Chairman, Scrutiny of Government Waste Committee
Mr Jamie Briggs MP

Shadow Cabinet Secretary
Hon. Philip Ruddock MP

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

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

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

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

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

Shadow Parliamentary Secretary for Regional Education
Senator Fiona Nash

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

Shadow Parliamentary Secretary for Local Government
Mr Don Randall MP

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

Shadow Parliamentary Secretary for Defence Materiel
Senator Gary Humphries

Shadow Parliamentary Secretary for the Defence Force and Defence Support
Senator Hon. Ian Macdonald
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Tuesday, 20 September 2011

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

BILLS

Higher Education Legislation
Amendment (Student Services and Amenities) Bill 2010
Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator IAN MACDONALD (Queensland) (12:31): Unfortunately, the bells last night interrupted my contribution to this debate on, effectively, voluntary student unionism. Last night, I was making, and continue to make, the point that things are tough enough for students at the present time. The cost of living, particularly in my home state of Queensland, continues to rise, principally but not entirely because of the cost of fuel and energy in Queensland. Through the mismanagement of the current state government in Queensland, electricity prices have continued to rise over recent years and the Bligh Labor government seems incapable of doing anything about it. For too many years the Bligh government has ripped profits out of the electricity utilities to prop up its budgets, with the result that the electricity utilities have not had sufficient money to contribute towards new infrastructure, maintenance and upgrading of their networks. Hence there have been outages, and it is forecast there will be more outages in Queensland, and the costs keep rising.

These increased costs of living are hurting all Queenslanders. They particularly hurt students, people who take an extra job to help with the costs of attending university and the costs of accommodation. On top of those increasing costs in Queensland at the present time, and I assume it is the same around the rest of Australia, we have this carbon tax coming up and, on even the most benign view of the world, the cost of living for all Queenslanders, including students, will again increase. Ms Gillard, the Labor Party leader who is currently, at least for a little while, Prime Minister of Australia, promised before the last election that there would not be a carbon tax. On the basis of that, her party scraped back into power. According to newspaper reports, that carbon tax will happen. The Labor and Greens alliance, the Labor-Greens coalition, in this place has determined that those 18 bills will be guillotined through this parliament and that we will have a carbon tax.

For students in Queensland that will mean further increases in the cost of living. On top of that, do they want to be lumbered with a compulsory levy that, for many of them, will not in any way contribute to their studies, wellbeing or health at university? I appreciate that the Labor Party are saying that this is for services, but we only have to look back to the days when the Left groups of Australian politics controlled all the student unions. They compulsorily gained money from students, and students had no choice. When the Left groups were in charge of the universities, they clearly used those funds to campaign for left-wing, usually Labor Party, causes. That has always distressed me.

I made the point last night that, in two universities in Queensland that I know of and have had direct experience with, the Left no longer controls the student union. Again I give credit to the members of the Young Liberal National Party in Queensland who, through their corporate group called Fresh, took over something like 59 of the 64 positions on the University of Queensland
Union, but do not quote me on the figures, and a marvellous job they did. So perhaps I should be voting for this bill so that it gives that university union a bit more money that they might be able to use in a very sensible campaign on the carbon tax.

But, I only joke there. I do not think that students should be required to contribute money to any group that then uses their money to promote political causes. All too often we see that members of the union movement, many of whose members are actually members of the Liberal and National parties around Australia, are compelled to pay their union fees and then the union simply uses them to support the Gillard government and this carbon tax proposal that is going to put many of those unionists out of work.

So, for the reasons I mentioned last night, and perhaps more importantly for the reasons that my colleagues on this side used to forensically demolish the argument of the government and the Greens on this bill, I urge all senators to oppose this bill and leave it to students to have the choice of who they support and how they support their benefits at university.

Senator HUMPHRIES (Australian Capital Territory) (12:37): I rise to speak on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. Let us be clear that this is the imposition of a new tax. Australians are now very used to the Gillard Labor government imposing new tax burdens on them and this is another new burden, this time on students. It is a particularly ironic tax in that it is imposed on a group in the community that, throughout its years in opposition, the Labor Party constantly advocated for on the basis of having too many expenses associated with their education.

Time and again we were lectured about how the cost of HECS, the cost of university fees and the cost of other impositions on students were excessive and that the Howard government needed to do something about the cost on students. Today, in government, the Gillard Labor government is adding its own costs—the cost of a student services fee—which until now students have had the choice to meet as they see fit. No-one denies that people on campus as students should not have the right to contribute to organisations where they feel they will obtain some benefit, where they feel that there is some advantage in belonging and that they can get some value for money from their investment. We all make decisions of that kind. We all decide at various stages of our life to join the local tennis club, the golf club, the RSL or to belong to the P&C at the local school. We make educated decisions about what is in our interests and about what benefits we get from membership, and organisations tailor their benefits of membership to the amount they charge to the people who come forward to join them. They need to demonstrate that there are benefits in order to have people make the decision to pay the membership fees and join those organisations.

It is a freedom we all enjoy, all except, effectively, students at Australian universities, who will be told that they will have an obligation to pay a fee of $263 a year. The fee will not be voluntary; it will be levied regardless of the ability of the students to pay the fee, regardless of the extent to which students are actually on campus using the benefits of the fee. For example, there are around 130,000 Australian students at the moment who are studying externally. These students, of course, do not very often come to the campus; they cannot access the services which their $263 fee will provide, and yet they are compelled to pay it.
Students will be required to pay the fee to fund services that they may not approve of. Senator Macdonald and other senators in this debate have pointed out that there are many things which those student organisations fund which, in the eyes of many Australians, would be regarded as quite reprehensible. They shamelessly lobby and campaign in elections, for example, and we have the phenomenon of thousands and thousands of students who are great Liberal or National supporters, or with some other party, who are effectively funding the activities of the Australian Labor Party and the Greens because they are compelled to contribute to an organisation of which they do not approve and of whose politics they do not wish to support.

I know that the members opposite choose to characterise this debate as being about the Liberal Party and the coalition trying to prevent organisations that they politically oppose from having resources to run campaigns against them, that we do not understand or appreciate the work of student organisations and we are not in tune with those organisations. I have to put on record that, as a student many years ago, I was very active in my student organisation. Of course, I lived in the era when fees were compulsory and I felt that I would get involved on the basis that I had no choice in that matter. Indeed, I was elected President of the Students Association of the Australian National University and I made it my mission as president of the students association there to give students better value for money for what they wanted, even though I knew that the association would continue to get fees via the university's funding mechanisms from the pockets of the students, irrespective of how well the organisation did. The fact is, however, that in the last few years students have had that choice to make, courtesy of legislation passed during the Howard government's term. They had an election to make whether they wished to join those organisations, to pay those fees and to obtain those benefits.

The fact of that voluntary student unionism has had a very salutary effect on the operation of student organisations. They have had to change, in a very substantial way, the way in which they worked in order to attract people to belong to them. Some of the nonsense that used to go on in student organisations has, I think, to a large extent dissipated. That pressure to provide value for money will disappear when this legislation passes because it will provide once again that the students will be burdened with a fee on which they have no say and which will fund services and activities which other students do not need or which they do not support. This is a very cynical step by a government which has constantly claimed to be on the side of greater choice for students and greater capacity to support students as they go through their years of study. It now decides that it would rather take money from their pockets to support its political allies on university campuses.

The really astonishing thing about this legislation, though, is the extent to which it deprives students of any meaningful say in this process. At our universities we have people who will rise to positions of doctors, lawyers, scientists, accountants, dentists, nurses and, undoubtedly, senators one day. We have people at our universities who we expect to be leaders of our community in every sense in a generation or so. They are leaders in a sense of being political leaders, perhaps, but they are leaders in their various occupations and professions and they are leaders in the community. We expect them to be people who exercise a great deal of judgment and who will be able to make important decisions about what goes on in their communities. But we do not believe
that these exceptional individuals, these talented people who make it through to our universities, are capable of deciding for themselves whether they could afford to put $250 a year, or whatever the fee might be, into an organisation on the basis that they know it is worthwhile. We are telling those students that, irrespective of what you think, you put your money into that organisation. We do not care whether you believe the services are good value for money. We know what is best for you. We, the Australian government, are telling you that these services are what you need. We do not care that you might live 200 kilometres from the university campus and cannot access the campus gym, or uni bar or pool. We do not care that you might make an educated decision not to belong to that organisation. We know it is best for you and we will oblige you to belong.

I do not know of any other area in a free, democratic society today where we so blatantly require individuals to belong to organisations, in effect, by virtue of them being in a particular area of the community, particular occupation group or a particular place. That is, I think, insulting to those people who we trust enough to occupy rare and contested places at our universities. It is insulting to them and it is not necessary.

I believe that the government has once again looked at the dollars, is keen to ensure that the dollars are put into places where, in effect, it obtains a benefit from them. I can understand the politics of that. I can see that the government would love to have access to those dollars, because the support that the community is giving the Australian Labor Party at the moment could be said to be at a pretty low ebb. Maybe the dollars that it would usually expect to be available to it through donations and so forth might be a little bit harder to come by at the next election, as has been the case in the past. So shoring up a source of funding from universities might appear to be a sensible bit of work on the part of the government before they face the next election.

I remind senators that that money is coming out of the pockets of people least able to afford it. It is from people on already low incomes, who struggle to pay university fees and get through those usually fairly lean years of university. It is from smart people who are quite capable of deciding whether they need to belong to a union and get services from it or not. That money will flow to those student organisations and, sadly, the blatant misuse, which we have seen in the past, of those sorts of funds I think will resume. That is a matter of great regret. The government has decided to increase the burden on students for reasons which really are more to do with politics than to do with principle. At the heart of this is the principle that the government does not trust the judgment of the students to occupy those valuable places at our universities.

It is important to acknowledge that student organisations have a right to exist on campuses. It is important to acknowledge that they can play a valuable role and that, particularly in recent years since voluntary student unionism was effectively introduced by the previous government, a great many changes have been made in the way that many of those organisations have worked. The extent to which they have been able to generate a much better range of services and demonstrate much better value for money is a question that I do not think any of us doubt. The reason that university student organisations are now able to look up and say, ‘We’ve done a better job at selling ourselves to our potential student membership base,’ is precisely because students can make an election about whether they belong to the union or not. When a student has to choose between buying textbooks, studying
materials, a laptop, transport to and from the
university, costs of living and so forth, they
will make a very judicious and careful
decision about whether belonging to the
student organisation is value for money or
not. At least they would have made it before
this legislation came forward. They will no
longer have that decision to make.

As I mentioned, a large number of
students are not in a position to even use the
services of student unions. A large number
of students for various reasons, because they
study part time or they are external students,
find themselves at great distance from
universities. For them accessing those
services is not a practical option. People
need to ask themselves: why is it that those
people in particular should be required to pay
these fees? The assumption seems to be that,
if they are external or if they are part time,
they have the resources to pay them. I
would have thought that the more important
issue here is not whether they have the resources
to pay but whether they have the need for
those services. As a nation we do not require
that people recognise the benefit of their
local tennis club, golf club or football club
and say, ‘You shall belong to these
organisations because they are worth while
and valuable and do some good things, and
you might get some services from them one
day.’ We say that you belong if you choose
to belong. It keeps the organisations
themselves honest in a way which is not
going to be the case under this legislation.
This is compulsory student unionism by
stealth. There are some mechanisms in the
legislation which operate as fig leaves, to
make it look as though the organisations
have to demonstrate certain things before
they can receive these funds. None of those
fig leaves alters the reality that this is in
effect a return to the compulsory funding of
student activities by students who may not
have any need for the services provided or
any interest in the activities of the student
organisation. The fact that student organisa-
tions provide ‘representation’ on behalf of
students to university bodies and so on is
again beside the point. We do not require
people to belong to organisations in order to
obtain representative advocacy on their
behalf. We let them choose whether they
wish to subscribe to the views of organisa-
tions before they belong to them, but that
does not appear to be the motivation behind
this legislation.

I note in an opinion poll commissioned by
the Australian Democrats—and the
Democrats would not usually have
associated themselves very much with the
concept of voluntary student unionism, as I
recall—that 59 per cent of students voted
against compulsory fees. That is not a
surprising figure when you bear in mind that
in most campus elections perhaps only five
per cent of students cast a vote.

**Senator Hanson-Young:** It is 25 per cent
at Adelaide University.

**Senator HUMPHRIES:** Well maybe,
Senator Hanson-Young, they pull out an
exceptionally large number, but what does
that say about the other 75 per cent? If I
think something is worth while, I will get
involved with it. I think most students know
enough about the way the world works to
make—

**Senator Hanson-Young:** It is the highest
voluntary voting in the country at Adelaide
University.

**Senator HUMPHRIES:** I think people
should not be forced to do these things. If
people really believe that the student unions
give them value for money they will make
the decision to be involved and they will pay
their money. I imagine you, Senator Hanson-
Young, were active in student organisations
when you were on campus and I imagine you
got some benefits from your student union
membership, as did I, but I did not ask people to fund my activities because I chose to get involved in those sorts of activities and I do not think the Australian government should do so today either.

This legislation is quite repugnant to the concept of a free society where individuals make decisions about what they do, what they belong to, how they spend their money and how they lead their lives. We have moved away comprehensively from the kind of society which, a few generations back, used to demand compulsory membership of unions in certain occupation areas, from 100 per cent union membership requirements in certain workplaces, and we allow people to make decisions in respect of every other area of the workplace. To the extent that student unions are analogous to workplace organisations, we make an exception in the case of students and student organisations and there is no compelling case for that to be so. I urge the Senate to reconsider this dreadful piece of legislation.

Senator BIRMINGHAM (South Australia) (12:56): The Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 does feel a little like a back-to-the-future scenario. We debated a very similar bill in the previous parliament and the parliament before that debated the matter of voluntary student unionism and an end to the compulsion of student union activities for students right around Australia. But here we are again, as the government and the Greens together seek once more to reintroduce an element of compulsion to Australia’s students, to reintroduce an element which has previously been used and manipulated for political purposes around the country, purely ultimately to keep their constituencies happy and for their own potential political gain and benefit.

This legislation offends me on two very important key principles which, as a Liberal, I hold very dear to my heart. The first of these is the principle of freedom of association, the principle that individuals should be free to associate with whichever associations they wish to and, equally, to not associate with the associations with which they do not wish to associate. Secondly, there is the notion that we should operate in a society where, wherever possible, unless there is a public good or public benefit to the contrary, the user pays for the services they want without there being a public subsidy for those services. These are core, sensible, fundamental Liberal principles—that nobody should be coerced into belonging to an association or body to which they do not wish to belong and that nobody should be forced to pay or subsidise services they have no wish to use, unless in either of those instances there is an overwhelming public good or public benefit to force such activity.

In this instance I can see no overwhelming case of public good or public benefit for these principles to be betrayed in the way that this legislation seeks to do so. The legislation before us will take us back to a situation where students around Australia will be compelled to pay a compulsory fee, administered ultimately by organisations that they may not wish to belong and that nobody should be forced to pay or subsidise services they have no wish to use, unless in either of those instances there is an overwhelming public good or public benefit to force such activity.
government after managing to secure seats on the government benches. Before the previous Labor government of Mr Rudd was elected back in May 2007, the then shadow minister for education and training, made it very clear that it was not the intention of the government to go down this path. Mr Stephen Smith told the Australian people on 22 May 2007, while reassuring those who were worried that there might be a return to some type of compulsory fee:

... I'm not considering a compulsory HECS-style arrangement and the whole basis of the approach is one of a voluntary approach. So I am not contemplating a compulsory amenities fee.

They were the words that the Labor Party took to the 2007 election. I repeat the shadow minister's very statement: So I am not contemplating a compulsory amenities fee.

And what are we debating here today? A compulsory amenities fee—exactly the opposite of what the Labor Party promised from opposition that they would do. It does ring some bells. Of course, we have seen an example of this that has repercussions around the country at present. I refer to what Ms Gillard said at the last election about there being no carbon tax under a government she leads. We should have known, because the Labor Party has form on this. They have form with Mr Smith having promised one thing from opposition and then in government, in the last term and now again in this term, attempting to do quite the opposite.

I was a little sceptical of Mr Smith's promise and I must say that after the Labor Party formed government, and in the first full year that they were in office in 2008, I used the Senate estimates process to try and tease out whether the government actually intended to honour the words of Mr Smith about the promise that they would not contemplate introducing a compulsory amenities fee. So I pursued the matter through the Senate estimates with Ms Paul from the Department of Education, Employment and Workplace Relations and challenged her as to what the position of the government was. I posed the question to Ms Paul whether if a HECS-style loan scheme for union fees were introduced there would be a voluntary fee. Ms Paul's answer was:

The minister—

by then the member for Adelaide, Ms Ellis, was the minister responsible—

in her media release—

Senator Farrell interjecting—

Senator BIRMINGHAM: Senator Farrell never misses an opportunity to praise his factional colleagues from South Australia and, of course, I would want to acknowledge the interjection to again ensure that his recognition of Ms Ellis is there on the record as he always puts it. Ms Paul's answer was:

The minister in her media release said that there would not be a return to compulsory student fees.

Yet what has she voted for on multiple occasions since then? The member for Adelaide has voted for a return to compulsory student fees. That has been on multiple occasions since those words. This legislation is another classic example of the Labor Party saying one thing and then doing completely the opposite. For that they should stand repeatedly condemned in the eyes of the Australian public.

I have some experience of paying compulsory student fees. I wish that I did not but I have had some experience of doing it as both an undergraduate and a mature-age masters student working on a full-time basis.
Those are two very different situations: an undergraduate student working part time—the type of person that those opposite might claim would fully utilise the services—and then as a masters student working full time and having very little opportunity to utilise any services. In both instances I found absolutely no value for money and no benefit flowing to me as a student, and I think the overwhelming majority of students found themselves in exactly the same situation. Between my two periods of study and my two periods of paying compulsory fees I ran as a candidate for election to the other place and I found myself in the slightly ironic situation, whilst running as a candidate, that the National Union of Students—a body that had been funded by my student fees when I was first at university and a body that was again funded by my student fees when I returned to university following my unsuccessful attempt to be elected to the other place—actually campaigned against me. They used my own money, money that I had been forced to pay, to campaign against me. In fact, I arrived at the campaign office one day to find a new brochure had arrived in letterboxes across the country with the headline: 'Don't let Simon Birmingham and John Howard take away our future'. And what a future it was that Mr Howard was actually able to provide to the students of Australia: essentially full employment, a vastly strong and growing economy, rising real wages and the provision of enormous opportunities for the students of Australia. But, no, the National Union of Students thought that it was quite appropriate to use money acquired under compulsion from students around Australia, including me, to campaign for the election of a Labor government against me and, I suspect, against you as well in that election, Mr Acting Deputy President Fawcett. It was a quite ironic situation that I found myself in and this was a key example of the type of abuse of students' money that we saw rampant when we last had this type of compulsory student fee in place. Ultimately, if those opposite get their way it will be the type of abuse that we see rampant once again as student fees are collected on a compulsory basis. Whether under this existing legislation or under future attempts to water it down even further by those opposite, we will eventually see it siphoned off into the types of political campaigns that can be used against those of us on this side for the benefit of those on that side regardless of whether that is what the students paying those fees actually want.

This is sometimes likened by those who advocate it as being a tax, a tax for the public good. They say it is somehow like paying your council rates. On previous occasions in this debate—and sadly I missed his contribution last night—Senator Abetz has drawn a very good analogy. Senator Abetz, like many on this side, has been a champion of the opportunities for association provided by voluntary student unionism. He has likened this proposal to making people join their local ratepayers association rather than making them pay their council rates. That is what this essentially does—it is not actually akin to paying council rates, where there is a demonstrable community benefit of ensuring that footpaths and roads and rubbish collection and core services are provided; it is about extraneous services that are not core to the student experience, to the studying experience, and funds are often funnelled off into lobbying and other activities that really should be undertaken purely through voluntary commitment.

Students going to university already pay large sums of money—either upfront or through deferred payments. They contribute those large sums of money and, in return, they already receive the core services
required from the university. They receive lectures, tutorials and the facilities at the university in which those activities occur. They receive the complete academic experience. They are still asked to dig deep into their pockets to buy textbooks and other materials that are necessary, and this type of extra impost, this type of fee, just hurts their capacity to pay for all of those essential services. The Labor Party and the Greens want a compulsory fee that is layered on top of all of the existing fees and just makes it so much harder for people to pay for the essential services required to get a university education. And they are essential.

As we do throughout the rest of society, in any other workplace in the country or any other place around Australia, we should let the market provide the non-essential services at universities that are not directly related to the provision of education and the learning experience related to that education. That is what happens if you put thousands of workers together on the one work site. If they need a cafeteria, if they need restaurants, if they need bars, if they need sporting fields, if they need childcare facilities—if they need or want any of those sorts of things—if there is a market and a demand there for it, somebody comes in and provides the service. Presumably they provide it at a commercial rate of return, and that is what happens. It is perfectly reasonable and acceptable for it to happen everywhere else around Australia, so why on earth is it not acceptable for it to happen on university campuses?

Frankly, on university campuses we should be encouraging a spirit of entrepreneurialism, actually encouraging people to see the opportunities for business investment, the opportunities that exist for those who want to drive innovation and business in campus life and as part of the campus culture. That is what we should expect to see and that is what we should be encouraging in our universities. But, no, this is all about further centralisation. We will see students' money collected on a compulsory basis, funnelled off to a central body that will determine through a central structure what services are necessary, how they are built, how they are run and who pays for them etcetera, rather than letting that entrepreneurial spirit be fostered and providing in a market responsive way the services that are truly necessary.

There are other arguments put that perhaps extend beyond even those non-essential services, such as childcare facilities or eating facilities. There is talk about the opportunities for clubs and associations in social activities and sporting activities and the like. I hope that we have in our universities people of capacity, people of ability, so that if they wish, and there are sufficient numbers of them who wish, to participate in a voluntary sporting activity or in a voluntary social activity they can organise themselves to do so without needing a compulsory fee to underwrite their activities. I would hope that the calibre of individuals we have involved in our universities and studying at our universities is such that they are able to put in place the framework and the institutions they want. I do not just hope that is the case—I am confident that is the case, because it happens at universities right around Australia already. Whether it is the sporting groups or the political groups—whichever ones they may be—we already see them right around Australia. We already see young people, and people of all ages, organising themselves into the groups and activities they want without this compulsory fee.

We were told, when voluntary student unionism was suggested by the Howard government some years ago, that campus culture would die, that all these services and facilities would evaporate. Essentially, if you
had listened to the doom and gloom from those opposite, there would not have been a club for anybody to join, there would not have been a bar for anybody to drink at, there would not have been a cafeteria for anybody to eat at, there would not be a sports field for anybody to kick a footy on—the whole lot would just have evaporated under VSU. That had not happened last time I looked at a university campus. On most there is still a bar for people to drink at if they want to, there is still a cafeteria for people to eat at if they want to, or often multiple cafeterias and eating options, there is still a rampant and lively clubs culture full of voluntary activities and opportunities, and there are still sporting facilities that are used by local clubs and others outside of the university as well. All of this is still happening—it is all happening right now and happening in an environment where students are not forced to part with their money.

I have had numerous representations on this occasion and on previous occasions when this matter has been debated in this place. I particularly want to highlight representations I have had from students in South Australia, and especially from Liberal students in South Australia. I have received a letter from Jack Batty, the President of Liberals on Campus, a group of Liberal students operating across South Australian universities, which highlights very clearly their concerns. Mr Batty says:

Students should not be forced to pay for services that they do not want or cannot use. If services offered on campus are good enough, they will earn the support of students without any compulsion. This new tax will hurt those who can least afford to pay it. Students already struggle to pay for textbooks, study materials and transport. Poor students will suffer most as work pressures mean they have less time to spend on campus enjoying subsidised activity.

... ... ...

Services provided by student unions are largely superfluous and open to political abuse. This Bill provides little by way of enforcement mechanisms to prevent the misuse of our money.

Mr Batty has put it quite wisely and quite succinctly in that representation. He has made it clear that their view is that the money will be open to misuse and that it will see those who can least afford to pay it having to pay a compulsory fee—a fee that at best goes to underwrite services that should be able to be provided without such a compulsory fee in place.

I return to emphasise the two key points that I made: the belief that where possible the user should pay for the services they want and the activities they engage in; and, most fundamentally, no Australian should be compelled to be associated with an entity they do not wish to be associated with. Unfortunately, this bill fails both of those tests and I sincerely hope it is defeated.

(Time expired)

Senator BERNARDI (South Australia) (13:16): It is a great pleasure to follow Senator Birmingham, who has articulated a number of the concerns around the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. I commence my contribution to this debate with a broader issue, and that is about principle. It helps when you come to this place or to the other place—when you enter parliamentary life—if you have some guiding principles. These are the things that allow you to instantly assess the merits or otherwise of a piece of proposed legislation or to respond almost immediately to a circumstance in respect of policy, initiatives or programs that are suggested. I am talking not about the sorts of flexible ethics that a number of politicians and political parties may use in order to get themselves elected but about the core principles. It is about how you view the world and it is about the
strength of framework which you bring to use your intellectual rigour to make assessments about policy.

These are the sorts of things that stop politicians from misleading, deceiving or lying to the Australian people. These are the sorts of things that would have prevented, for example, the Prime Minister saying, 'There will be no carbon tax under a government I lead,' just a few days before the election and then introducing a carbon tax under a government she is leading subsequent to that election. It would be the same sort of principle that would prevent an opposition from saying, 'There are no plans for a compulsory amenities fee,' when they are in opposition and the same sort of principle that would lead a minister to say, 'There will be no compulsory amenities fee,' when they are in government.

Unfortunately, these sorts of principles that support integrity, honesty and transparency are completely missing from the government, and it is characterised in this debate. Not only did Mr Smith say that he had no plans for a compulsory amenities fee when he was in opposition in 2007 but Minister Ellis, who was perhaps not—and I will be very generous here—the most effective minister—

Senator Hanson-Young: That would be a first.

Senator BERNARDI: Yes, it would be a first. Thank you, Senator Hanson-Young. Normally, I would be considering your contribution and it is very tough to be generous about that. Anyway, getting back to Minister Ellis—who perhaps has not covered herself with extraordinary glory through her ministerial career—she did say that there was not going to be any compulsory amenities fee, and what we have before us is effectively a compulsory amenities fee. When you apply principle to this debate you say, firstly, the Australian people were once again deceived by the Labor Party. That is a big X—it gets a no; you do not win any credit for that. Secondly, this compulsory amenities fee offends the principle that should guide every single Australian that there should be no compulsion in paying for things that you are not going to use. It should reflect the user-pays system whereby if people are going to opt into something they should pay the price for that.

Many in this chamber have had the experience of university—some enjoyed it. I did not particularly enjoy it. I found myself one of the few people at odds with the leftist orthodoxy on campus. What I cherish about that fact is that I protested against these compulsory fees right from the word go, because I did not see that there was any value for money in it. I do not see that funding from the student union for the Days of Our Lives club or the role-playing Dungeons and Dragons club, and things like that, really added much to university life. When I reflect on the product of the student unions, and the student politicians that have tried to translate their student politics into places like the Senate, I wonder why we are funding this sort of activity and this sort of initiative. Is there a real benefit for it amongst the millions of students?

I suggest that this $250 proposed fee is basically a $250 million tax on students. It is a tax that many of them will get no benefit from because of the new and radically altered nature of university and student life today. There is an increasing number of students who are doing external studies or who are studying part time. There is also an increasing number of mature-age students. These are people who return to university and who do not have the time, interest or need to take advantage of the myriad services that are provided through the student union. I say they do not have the
need because many of these things are available through other external bodies, whether they be quasi-government bodies or through voluntary organisations. If there is a need for support or counselling or prayer space or some sort of advocacy group, these are all available outside of the university campuses. So what we are seeing is a replication of services in some instances, but we are also seeing the building of empires. This is something that really has no place on our university campuses. They are places of higher learning and, as such, people should be focused on that. If people want to participate in clubs, sporting groups or other initiatives then it is only reasonable and fair to ask those who are participating to make a contribution to those initiatives. It goes without saying that sometimes it would be at quite a significant cost. I myself was a member of the University of Adelaide rowing club and took great benefit from that, and I understand the university rowing club is still prospering and thriving despite the fact that there is no compulsory student amenities fee. That is just an example of how the Henny Pennys who said the sky was going to fall when we took away this fee have been proved wrong once again. What has been taken away is the ability to rort and manipulate the system, to buy influence and to peddle propaganda, some of which Senator Birmingham himself was a victim of.

We have to come back to the point: if these services are not particularly necessary in the sense that they can be replicated elsewhere, why are we forcing students to pay $250? That is money which, might I say, will get added to a HECS bill, will be an imposition on them with their generally small incomes or will have to be picked up by a third party. We cannot deny the fact that many students are already struggling, and not just young students. A number of older people who return to study have other obligations in their lives, so they find it very tough to make ends meet. That means that there will be $250 less for textbooks, study materials, transport or the general costs of living, or it will be $250 more of HECS debt, which we know is becoming increasingly difficult for students to manage.

I have also touched on the changing nature of university life, and that relates to the demography of university students today. They are not elite institutions anymore. They are places of higher learning where the majority of Australian students go after finishing high school or when seeking to pursue a higher education. As I said, there are many more students now studying part time or in the evenings to complete work. These people cannot and do not participate in or take advantage of the services that the unions allegedly provide. More people are interested in taking advantage of the greater flexibility and the competition between universities. They have the opportunity to avail themselves of new technology which enables a virtual learning environment where people can be at home or anywhere in the country and undertake their university studies. There are now approximately 13,000 students studying externally. Having been an external student myself, I know how flexible and important this sort of option can be. Why should these 13,000 students be forced to pay for a service that they will have very limited if any opportunity to utilise?

It is also worth analysing the expectation of students of their university life now. I am of the opinion, and it has been fed back to me by a number of university students already, that they go to university because they want the credentials to enable them to get a better job or to pursue a profession or a particular career. The so-called university experience is not that attractive to many of them. They do not see it as developing their
They do not want the fee, because they know that most of the activities and services provided by the unions are superfluous. They are provided by the university itself, by government organisations or by the voluntary sector in many instances. A lot of them are already available for free. Others are heavily subsidised. So there is not a great burden on the people availing themselves of these services. There is no prejudice or discrimination in access to these services. As I said before, if people outside of university require help they can go to Centrelink, legal aid or any other non-government organisation—whatever fulfils that niche. When people who do not attend university—whether they be apprentices, working people or whatever—want to pursue an activity, they join a local club or go to a commercial operation and they pay, whether it be a couple of hundred dollars to play football for the year or a $500 amenities fee to join a rowing club. Whatever it is, whether it be a club, an activity or an organisation, everyone makes a contribution not only towards the operation of the club but towards providing for it financially. Why are we now treating students differently from the rest of Australia? There has not been a massive breakdown in campus life since the compulsory amenities fee was scrapped. The only thing that has happened is that every student has been $250 or more better off every single year because they have not had to pay for services that they have not wanted. Ultimately, if more than a tiny minority of students want access to a club or service on campus, it will be provided. It will be provided because there will be a demand for it that will earn the patronage of students. There will be no compulsion and everyone will benefit—not least those who are not subsidising that interest when not using it.

We also know that the existing system remains open to political abuse and is devoid
of effective enforcement mechanisms. The coalition is concerned about effective enforcement of this proposed legislation. While the bill prohibits universities or any third party which might receive money spending it in support of political parties or political candidates, there is nothing at all to prevent the money being spent on political campaigns, political causes or quasi-political organisations. We all know how these organisations operate: most of them have some sort of Green front, or something like that, and they peddle propaganda designed to infiltrate universities, appeal to students and push a left-wing barrow. But even with a prohibition on direct support for political parties and candidates, the question will be: how can this prohibition be policed? This bill provides for no credible enforcement or sanction mechanism. The bill merely states that it is up to universities to ensure the money is not spent on political parties and candidates, without providing universities with any powers to enforce this. We know that a lot of things that deserve higher scrutiny happen on university campuses. We know that people will try to rig and rort elections to gain power. They will do all sorts of things that would be considered inappropriate, because they believe that they are beyond the scrutiny of normal people.

_Senator Hanson-Young interjecting—_

_Senator BERNARDI: _There is an interjection coming from Senator Hanson-Young. I am sorry, I missed that Senator Hanson-Young—if you would care to repeat it.

_Senator Hanson-Young: _Christopher Pyne and his activities when he was education officer at Adelaide university—what have you to say about that?

_Senator BERNARDI: _This compulsory amenities fee is student unionism by stealth. We like people to be upfront in this place, and this bill attempts to impose a compulsory fee which may in turn fund the activities of student unions. We should be under no misapprehension about this. This will fund the political activism of the Left on university campuses. In the past, student unions have proven themselves to be very adept at using the profits from the permissible or allowable activities to effectively cross-subsidise activities for which direct funding was disallowed.

We have freedom of association in this country, notwithstanding the recent outrages about these sorts of things. But the freedom not to join an association, not to join a union, not to join an organisation remains one of the core beliefs of the coalition. It is something we are committed to. We believe that someone opting into a system is always far preferable to forcing people into system. This comes back to the key principles with which I started my contribution to this debate. Unless you enter this place with a framework, with a set of principles with which you can critically analyse and assess bills, the policy issues and the substantive matters that we are all asked to make decisions on, you will be unable to level with the Australian people. You will inevitably be forced, compelled or tempted to deceive the Australian people, just like our Prime Minister did at the last election with her statement that ‘There will be no carbon tax under the government I lead,’ just like the former Minister for Youth, Ms Ellis, who said that there were no plans for a compulsory amenities fee and just like the former shadow minister, Mr Smith, just before the 2007 election. If we cannot take at face value the words of our politicians, those entrusted with running the country, what can we have confidence in? It is a genuine question, and it comes back to principle. This bill suggests that the Labor Party is devoid of
principle. It has no policy passion— *(Time expired)*

**Senator BUSHBY** (Tasmania—Deputy Opposition Whip in the Senate) (13:36): I rise also to contribute to the debate on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. This bill is about one thing and one thing only: whether all students, approximately one million of them, at higher education facilities across the nation should be forced to pay an indexed fee of $250 or more every year to fund the activities of student politicians and/or the social and sporting activities of a small minority of their student colleagues, and whether they should be banned from graduating if they recognise that they have no need for so-called amenities and refuse to pay the fee.

Accordingly, the coalition opposes the bill, because we do not believe that students should be forced to pay for services that they will not or cannot use. The fact is that many, indeed probably most, students would have little need or inclination to make use of the so-called amenities that this reinstated tax is likely to fund. And, of course, this new tax will be imposed on all students, regardless of their ability to pay.

But a new tax coming from this government is hardly surprising. Despite being one of the most incompetent governments in Australia’s history, one thing that the Rudd-Gillard government have proven is that they are more than competent when it comes to devising new taxes. Here we are today once again considering the imposition of a new $250 tax on students, a tax supposedly to fund valuable services that will ensure the added extras of uni life will be available to uni students and that they can have proper representation. In my experience, the vast majority of students attend uni to get a degree that will best equip them for participation in our society—to set them up for a career—and to expand their academic knowledge and understanding of our world and how it works. Of course, along the way, many students manage to have a little fun as well, but most students are quite capable of having a bit of fun without the need to dip their fingers into the pockets of their fellow students to fund it.

When I was at uni, a bit over 20 years ago, I was involved in the Tasmania University Union. I first stood and was elected because I and other students were appalled at the way that the fees we were required to pay were being spent and the total lack of benefit that we were getting as a result. My view was that, although I could not stop it being collected, maybe I could see it being better spent. So, together with a number of other students, we ran as the Better Management Team. Interestingly, we clearly were not the only ones that felt that way, because we received well over 80 per cent of the vote. I subsequently spent three years as an elected representative on the TUU, the second of those as a vice-president and the last as treasurer. We had to work hard to turn around the momentum to ensure the funds compulsorily raised by the then equivalent of what is being proposed in this bill were spent in the best interests of those who had been compelled to pay it. The reality is that, no matter how carefully we did spend it, the vast majority of those who paid it received little benefit because, no matter how well the money was spent, most of the services offered were of no benefit to the majority of students.

Quite apart from the support for blatantly political purposes, which was endemic and which I and others elected with me put an end to, a huge proportion of the amenities fee equivalent was spent subsidising the hobbies and the sporting and drinking pastimes of a limited number of students who had worked out the system. We worked at the time to
place better and stronger qualifying conditions around these activities and had significant success, although I understand that with subsequent elections a lot of the work we did was undone.

But this was because the temptation is there, when students are forced to pay into a compulsory fund, for the money to be doled out to favour individual office holder ideologies and to support activities and people with whom you are familiar. I recall that student moneys at the time went to support ski lodges, rowing clubs, football clubs and water polo clubs—all very worthy activities in themselves but all activities that people can easily participate in without the need for subsidies from other students. Many of those receiving a subsidy for their activities were well able to afford those activities without subsidy. For example, many of the skiers would have been skiing regardless. Similarly, there was no end of 'societies', which were in many, if not most, cases fronts for drinking clubs. Again, this is all a part of the fabric of uni life, but it is a fabric which would exist, and indeed still does exist, without money being taken off those who do not choose to partake in those activities and being given to those who do wish to.

The bottom line is that, although uni is rightly primarily about study, students will, regardless of whether there is a student organisation funded by a tax on all students or not, seek out their own way to add value to the experience of uni life and to the extent that best suits them. They will, if they are so inclined, continue to play sport, socialise with like-minded students, participate in activities of their own choice and even collectively organise to ensure they get a fair deal. The question is whether they have a right to do so at the expense of other students who do not choose any or all of this and whether a student-wide tax should be imposed to pay for them to do so.

The total we are talking about under this bill amounts to a $250-odd million new tax on students, who in many cases are really not in a position to pay it. Given that the Greens and Labor purport to represent the least advantaged in our community, I would have thought that imposing a tax on students, many of whom come from backgrounds that mean they struggle to afford to be at uni in the first place, would be anathema to these so-called progressive parties. Yet here they are lining up to take another $250 off each of them, regardless of their ability to pay, so that some students can have their choice of activity or their drinking subsidised or so that student politicians can be funded to cut their teeth.

But it is important to remember that these students can currently still undertake these activities, do that drinking or cut their teeth student politicians, just not on the account of other students who have been forced to pay a tax. If the relevant student organisations can sell the benefits of their activities or representation, they can still charge a fee and, if students see the benefit, they can still pay it. But, if this bill is passed, for many students on a budget it will mean $250 less for textbooks, study materials, transport and the cost of living—or, at best, $250 more in HECS debt.

This bill represents yet another broken promise by the Labor Party, which made a commitment before the 2007 election not to reintroduce compulsory student union fees, a promise made by then shadow minister for education, Stephen Smith, someone now being touted as a potential replacement for Prime Minister Gillard and apparently someone with similar proclivities. As you would appreciate, this is not the only broken promise from the 2007 election, and
certainly it is not the only one from the 2010 election—the big one being the promise that there would be no carbon tax under a government led by Prime Minister Gillard.

If ever there was a time when a student-wide tax was justified—and I doubt there was—the case for such a tax is much diminished now by changes in the demographics and style of study undertaken in the 21st century. For example, there are many more older—what used to be called ‘mature age’—students, and the incidence of external study is far higher than it used to be in the 1970s heyday of compulsory student unionism. These days, many more students study part time. In such cases, the benefits to be gained from the so-called amenities that this tax will fund are likely to be of little or no attraction or possible benefit. For example, there are around 130,000 students studying externally. These students will never have the opportunity to use the services they are being forced to pay for. Similarly, a single mother studying and working part time—not an uncommon occurrence—is likely to have little opportunity or inclination to partake of the so-called uni culture that pilfering $250 a head from students is said to be likely to deliver.

Listening to this debate, I have not heard any senator mention any service or activity that is likely to be provided by a student organisation that is not currently available: They already exist and are being provided and funded by the universities themselves, by the government or by the non-government voluntary sector. Many of them are free, others are heavily subsidised and all of them are available to university students without any prejudice or discrimination. For example, nothing stops university students from going to Centrelink or Legal Aid where they have a relevant need or to any number of non-government organisations such as the Salvation Army or St Vincent de Paul.

When people outside of university are interested in a pastime, an activity or a sport they join together in a club to pursue it and they all contribute money to the common pool towards their club or association or they go out and raise funds in the community to make it possible. The reality is that there are activity and sporting clubs all over Australia that manage to run, undertake activities and stay solvent without needing to be subsidised by taking money off others who are not involved in their activity or club. Students do not want to be treated differently to everyone else, and they should not be. Outside of the university, they certainly would not expect that everyone in their suburb should be forced to pay a levy or a tax so that they can enjoy beer appreciation or subsidised snow skiing. In the end, if clubs and services offered on campus are deemed valuable, students will seek out that value and pay for it without any compulsion.

Further, despite the very weak arguments put by the government, we on this side of the House remain very concerned about the potential political activity that the proposed tax will fund. I have touched on this when talking about my own recollections and the potential for the abuse of student moneys for political or ideological reasons. While the bill prohibits universities or any third parties which might receive money from spending it in support of political parties or political candidates, there is nothing to prevent the money being spent on political campaigns, political causes, or quasi-political organisations per se, whether students whose money is being spent agree with it being used in that way or whether they do not.

Even if this prohibition is enforced, it is easy to see how it can be avoided and circumvented. In the past, student unions
have proven to be very adept at using the profits from 'allowable' activities to effectively cross-subsidise activities for which direct funding was disallowed. Students are generally quite clever people and if there is an opportunity to get around something like this they will find it. But it is also doubtful if this prohibition, such as it is, will be or even can be enforced. Neither the bill nor the guidelines provide any credible enforcement and sanction mechanism. The bill merely states that it is up to the universities to ensure that the money is not spent on political parties and candidates, without providing any commensurate powers or any other mechanism to enforce this. There is no departmental monitoring.

For any action to be possible, individual students will need to raise and prove their concerns. Even then, it is at the discretion of the minister whether any penalty is imposed, something that I imagine is not likely to be easily attained. In addition, there will be no policing or penalties for universities that act in breach of the guidelines and no opportunity for the tax to be refunded in circumstances where political activity is proved.

The simple truth is that the bill funds the activities of student unions. It allows funds compulsorily acquired by universities to be used for 'student representation' and thus political activities of student unions will be funded by all students whether they like it or not. In a broader sense, it is no better than forced gambling where everyone is required to take out a ticket but only a few get to share in the winnings. Freedom of association, including freedom not to join an association, remains one of the core beliefs of the coalition and this bill stands condemned as a flagrant breach of that mighty and powerful principle. It is bad policy, it is outdated policy, it is blatantly inequitable and unjust, and it should be voted down.

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (13:49): I join my colleagues in rising to address the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. I welcome the opportunity to speak about something that I feel so strongly about. This attempt by the Gillard government to restore compulsory student union fees simply cannot be supported and should be condemned. It is a restriction on the freedom of Australia's one million university students and typical of many a bill introduced into this parliament by this government. It is not in the interests of all students and does not truly consider the universities themselves. It is a blatant attempt to reimpose a pointless tax on those who can least afford it. It is an imposition on students entirely in breach of the ALP's pre-election promise—yet another broken promise. This tax would raise about $250 million across 38 Australian universities.

Students have the right to keep their money and the right to choose how they spend it. The government does not have the right to dictate to students how they should spend their money and it should not abuse a right to take away the freedom of choice that students all should have. The bill is not in the interests of all students, nor are all students interested in this bill. Medical and counselling services are available in some form atNearly every university and yet they are services that we have heard about quite frequently during this debate. Nearly all medical services offer bulk-billing, while counselling is typically free at universities. Universities are part of the community—and, in many ways, they are the community in which these students enjoy and live their lives. They provide an opportunity for students to enjoy sporting facilities, to participate in social clubs, to develop networks of friends—if they choose to do so. But their purpose, their reason for being, is
to be institutions of education. They are not social clubs. They are not unions. They do not exist to provide social services that should be provided to all members of the community. They do not exist to be a source of funds for the Australian Labor Party—shock, horror! No, they are not there as a source of funds for the ALP. Shouldn't the vital services of child care, health care, counselling and sporting facilities be available for the entire community, not specialised services for university students?

We have heard from senators on the other side of the chamber that, in some cases, services have collapsed. If they have collapsed then it does beg the question: why have they done so? Is it because they are unwanted or poorly managed by the compulsory student unions? Or have they been replaced by the public sector, university or the government? Where are these students who are asking for their money to be forcibly taken from them? I have not met one student who wants to see the reintroduction of mandated taxes on students—not one.

The government may be shocked to learn that my constituents are capable of handling their own funds, of choosing how to spend their own money; but I can assure the government that they wish to have the opportunity to do just that. Their concerns are more about making 20 bucks last a weekend, how to manage one or more jobs and juggle them with their studies. They are not asking for their money to be taken away from them.

In the Liberal Party we strongly believe in freedom of association. In fact, it is a fundamental core belief of our party and a vital part of our party platform. Freedom of association is integral to forming the next generation. It is the role of government to guide this formation, not to dictate from ivory towers far away from the realities of university life. Sadly, the latter is exactly what the government hoped to do. It is on an ideological page where this issue stands. This is a government with only two fundamental beliefs, and we have seen them played out since the election last year: taxes and unions. The people of Australia are fed up with it, and we on this side of the chamber intend to hold the government, those sitting on the other side of the chamber, to account on it.

Australia's love affair with the union movement, if it ever existed, is over. We have only recently seen how members of the Health Services Union have either left or threatened to leave the union because they are sick and tired of their grocery money being spent by the management. Students long ago recognised that they were the best people to decide how to spend their own money and how to spend their $250. It is not the role of government to rip that money from the pockets of the poorest members of society and to throw it away on committees, clubs, social events, Labor party funding and heaven knows what else. In fact, Australians are not asking for more taxes. They are not asking for higher taxes. They are not asking for more government interference. They want to know that their money is theirs and that they have a right and a reasonable expectation that they can determine how to spend it.

But this government seems to be increasingly obsessed with stealing hard-earned money away from the public. This government's idea of managing the economy is really pretty simple: to increase taxes, to introduce new taxes and to reintroduce old taxes to pay for their incompetence, be it the carbon tax, the mining tax or student union fees. We should just call it what it is: a student tax. Let's not call them student union fees: it is a student tax, a tax on students. This government is addicted to spending
other people's money. And now that its coffers are empty it can only see one solution, and that is to tax Australians to oblivion. What will be the next tax that this government announces? Will it be a tax on pensioners, children or the homeless? If Senator Brown had his way we know that we would have a death tax, and if Senator Rhiannon had her way we know that there would be the introduction of a wealth tax.

On Thursday, 21 August 2008 former part-time education minister Julia Gillard said that the government was considering how it should tackle the problem of declining student services—“but compulsory union fees are not on the agenda,” she said. Ms Gillard said in a statement:

The Rudd government is committed to ensuring university students have access to vital campus services, including child care, healthcare, counselling and sporting facilities … She concluded:

… but we are not considering a return to compulsory student union fees—

Only three months after these comments the then Minister for Youth, Kate Ellis, announced that the former Rudd government would introduce a bill to charge university students a compulsory fee, to a maximum of $250.

The arguments against this bill, which was defeated in 2008, have not changed. The coalition, unlike the government, do not change their position on these things; they do not take one position to an election and change their minds afterwards. The Gillard government has learnt nothing from its previous defeats: the defeat of compulsory student unionism and the defeat of its reintroduction. There is no public appetite for compulsory unions or more taxes—in particular, a tax on students.

So what does a student tax mean in real terms? To some members the sum of $250 may seem inconsequential. But I can assure the Senate that to some students it can mean the difference between three decent meals a day or one. So students who can little afford the essentials are being compelled to pay for others. And what about those students who are studying off campus or online at significant distances from university campuses? What about those students who will not use services such as child care or counselling? Why should they have to subsidise others?

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Australian Labor Party
Member for Dobell

Senator RONALDSON (Victoria) (14:00): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Minister representing the Prime Minister, Senator Evans. I refer to the various ongoing investigations into Michael Williamson, together with the member for Dobell, Craig Thomson, and the Health Services Union. Does the minister support the decision of Mr Williamson to tender his resignation as a national vice-president of the ALP?

The PRESIDENT: Senator Evans, you need to answer those parts that pertain to your portfolio.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:00): Mr President, I am not sure that any of it pertains to my portfolio or my duties representing the Prime Minister, but I do understand that there are at least two investigations into matters related to the Health Services Union, one being conducted by Fair Work Australia and one involving the police. I am not sure of their exact terms.
of reference, whether particular individuals are being investigated or whether it is a broader investigation into matters and allegations made in relation to the administration of the HSU. I am aware that those investigations are occurring, as is everyone who has read the newspapers in this country.

I also note that Mr Williamson has resigned his position as a vice-president of the Australian Labor Party nationally. That is obviously a decision for him. I note that that has been reported in today's paper, and that is all I know about the matter. I have read the reports that he has resigned, and that was obviously a decision for him.

Senator RONALDSON (Victoria) (14:02): Mr President, I ask a supplementary question. Given that Mr Williamson believed that it was inappropriate for him to continue to serve as national vice-president of the ALP whilst facing investigation for receiving a secret commission, why does the Prime Minister see it as appropriate for Mr Thomson to continue to serve as an ALP member of parliament whilst he is facing the same investigation by Strike Force Carnarvon?

The PRESIDENT: Minister, again answer the part that applies to your portfolio.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:02): Mr President, I made the point in relation to the first part of the question that those issues are ones for Mr Williamson and that the reasons for his decision are for him to explain. But, in terms of Mr Thomson—and I have made this point previously in this chamber—Mr Thomson is entitled to the presumption of innocence. He is entitled to await the result of any investigations. I urge the senators opposite to again commit themselves to that principle about the presumption of innocence. (Time expired)

Senator RONALDSON (Victoria) (14:04): Mr President, I raise a point of order. Given that the Prime Minister has expressed a very strong opinion in relation to Mr Thomson's continuation, I think this question is absolutely relevant to the Minister representing the Prime Minister, and I ask him to return to the question.

The PRESIDENT: There is no point of order.

Senator Ludwig: Mr President—

The PRESIDENT: Senator Ludwig, I have ruled that there is no point of order and I have already drawn the minister's attention to the fact that he needs to answer that part of the question that relates to his representational portfolio or his portfolio.

Senator CHRIS EVANS: Mr President, I refer the minister to comments made by the HSU's Kathy Jackson on Lateline, where she said:

I think that this is another Sussex Street special where they think they can disaffiliate and then, once all this heat is off the Government, the Sussex Street boys will … have the union going back into the ALP.

Aren't the disaffiliation of the HSU from the ALP and Michael Williamson's subsequent resignation as party VP simply a Sussex Street smokescreen designed only to protect this government?
The PRESIDENT: I have to rule that out of order. I cannot accept that that is within the standing orders. I cannot. In the other parts of the question I could see that there might be parts relevant to the minister's portfolio. That part I cannot see the relevance of.

Senator Ronaldson: Point—

The PRESIDENT: I have ruled it out of order.

Senator Abetz: Mr President, in the quote, there was a direct reference to taking heat off the government. If you are saying that a matter that relates to the government cannot be relevant to the person who represents the Prime Minister in this place, we will have come to a very sorry pass. I invite you, Mr President, to reconsider your ruling.

Senator Ludwig: Mr President, on the point of order: Robin Hood does not have a longer bow than that grasped by the opposition. The ruling that you made was absolutely correct. There was nothing within that question that came remotely close to the minister's portfolio, and to rely on that sliver in context is completely out of order. Your ruling is correct, Mr President.

The PRESIDENT: I am going to stick with my ruling. I will review the matter post question time and, if there is a need to come back to the chamber, I will.

Employment

Senator FURNER (Queensland) (14:07): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans. Can the minister please outline to the Senate the government's view on the long-term potential for job growth in Australia? Can the minister also indicate the economic challenges that may be having an impact on jobs in the short term?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:07): I thank Senator Furner for the question and his interest in serious policy issues of interest to the Australian public. The core focus of this Labor government is the creation of high-quality jobs. Our commitment to that is exemplified by the fact that since coming to office Labor has been responsible for a period when we have added three-quarters of a million jobs, and the long-term prospects for jobs remain very strong in this country.

In the near term we are facing some considerable challenges most of which are driven by international events. While the short-term global economic outlook is increasingly uncertain, we will be buffeted by those events. The weak growth in the developed world stands in sharp contrast, though, to the extraordinary growth in emerging Asia, which is driving incredible demand for our resources and boosting Australia's national income. Of course, it is also increasing our exchange rate and bringing about a genuine structural adjustment to the Australian economy. All of those factors are having a short-term impact on jobs in Australia and we have seen loss of jobs in some sectors while mining and construction continue to grow.

However, as the economy restructures, the long-term potential for jobs growth remains very strong in Australia. The investment pipeline will see jobs continue to be created, and not just in the construction phase of the mining expansion but also permanent high-skilled jobs across many sectors of the economy. In fact, my department projects that over the next five years Australia will see an additional 1.3 million jobs to meet the demands of the economy. That is an extra 1.3 million jobs and opportunities for
Australians as the economy continues to grow. So the future for employment in the Australian economy is strong. There will be jobs created and they will be high-quality jobs and opportunities for young Australians.

Senator FURNER (Queensland) (14:09): Mr President, I ask a supplementary question. Can the minister outline the sectors that will generate strong jobs growth in future? Can the minister describe the reforms that Labor is undertaking in the tertiary sector to ensure that an Australian workforce can meet the future demands of employers in high-skilled sectors?

Senator Ian Macdonald: Ask him about Townsville and Cairns.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:09): I note Senator Macdonald's interjection about Cairns. If he wants to ask me a serious question about employment in Cairns I would be happy to answer it. But no doubt we will get muckraking as usual from the opposition. What we know is that the sectors experiencing strong jobs growth over the long term will need people with strong tertiary skills. My department's projections indicate that Australia will need around 270,000 extra construction and mining workers to deal with the mining expansion but there will be long-term growth in the services sector and there will be a requirement for us to continue to provide people with tertiary education to feed the jobs in education, business services and the care services. So we will need more doctors, nurses, bankers, scientists—a whole range of people to fill highly skilled jobs that will need tertiary education. That is why this government's record investment in tertiary education is a key part of supporting the growth in our economy and the jobs of the future. (Time expired)

Senator FURNER (Queensland) (14:10): A further supplementary question, Mr President. Can the minister outline other skills and jobs initiatives that this government has introduced to boost productivity and encourage more Australians to enjoy the benefits of work?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:11): This government recognises that the key to long-term productivity growth and greater workforce participation is ensuring that workers have high-quality skills and a high-quality education. That is why, in addition to our investment in schools, we have put over $11 billion into vocational education and training since 2008-09 and we are investing a further $3 billion in skills and training under the Building Australia's Future Workforce package. This package, announced in the budget, focuses on being industry led, working with industry to make sure we are training people in the skills that will get them jobs, partnering with industry to make sure that we meet their needs and that people have the opportunity to take up high-skilled, high-wage jobs in areas that are growing in the economy. Not only is this employment with large companies but it is with small companies and a lot of regional companies. We are investing to make sure that we better match the skills needs of our employers and the opportunities and training of our young people. (Time expired)

Carbon Pricing

Senator BIRMINGHAM (South Australia) (14:12): My question is to the Minister representing the Treasurer and also Minister representing the Minister for Climate Change and Energy Efficiency,
Senator Wong. Can the minister advise the Senate whether the updated Treasury modelling on the impact of the carbon tax, which was referred to by the Treasurer in his Economic Note on Sunday, has been completed? Mr President, through you, I inform the minister that I seek no other information from the minister. My question is simply whether or not the work has been completed: yes or no.

Senator Ludwig: Mr President, I raise a point of order. The question is actually asking for a yes or no answer, which is completely out of order. It should ask for information, ask for an answer in relation to X and not suggest the answer in the question.

The President: There is no point of order. The question stands.

Senator Wong (South Australia—Minister for Finance and Deregulation) (14:13): I think Senator Birmingham is seeking to tell me how to answer the question. There have been various times in my life when people have told me how to answer questions and I have generally found that one should follow one’s own instincts on that and answer as one sees fit. I shall do so on this occasion.

Honourable senators interjecting—

The President: Senator Wong, please resume your seat for a minute so that we can have order. When there is silence on both sides we can proceed. Senator Wong.

Senator Wong: As I said yesterday, the Treasurer did indicate on Sunday that updated modelling would be released this week. As I have said in response to a number of questions yesterday, I think it was, from the senator, I will not be pre-empting the release of that modelling. It is interesting that the other side are so focused on modelling. They were when I was climate change minister and they are now. The interesting thing is that they disregard what the modelling shows, which is that we can continue to grow our economy—

Senator Brandis: I rise on a point of order.

Senator Wong: You do not want the facts, do you, Senator Brandis.

Senator Brandis: On the question of direct relevance you have, with respect, correctly, ruled that the question is in order. The question could not have been more narrow. The question asked for one fact: whether the modelling had been completed or not. What we have heard from the minister has been commentary; it has been prologue; and it has been criticism of the opposition. But it has not addressed either directly or indirectly the only fact that you have ruled was the topic of the question. Has the modelling been completed: yes or no? We are entitled to have that question answered.

The President: Order! You misinterpreted what I said. I allowed the question to stand, so you should not interpret what I said. I allowed the question to stand so that the minister could hear the question and answer the question. If you are asking me to rule whether the minister is answering the question, I say to you that I cannot direct the minister how to answer the question. This is a longstanding ruling in relation to how ministers answer questions. That is correct but for one position—that is, that the sessional orders were in fact changed to require direct relevance. That was not in the standing orders previously and if that change to sessional orders is to mean anything then
surely the rulings must change, because if the rulings do not change it is quite clear that that change to sessional orders has meant absolutely nothing in the practical running of the Senate.

**The PRESIDENT:** I do not accept that. I stick with the ruling. I give the minister the one minute that is remaining to answer the question.

**Senator WONG:** I again refer to the Treasurer's public indication this week that he would be releasing updated modelling. He indicated that this would show the impact of the carbon price on the entire economy. The initial modelling showed that the economy will continue to grow strongly under a carbon price at the same time as we cut carbon pollution—

*Opposition senators interjecting—*

**Senator WONG:** Yes, I understand the opposition do not want to hear this. This is the interesting thing. They want modelling but they do not accept the findings of the modelling, which is that the economy grows, jobs grow and incomes grow with a carbon price. So, despite the fact the modelling does not back up their shameless scare campaign, they come in here and demand it, only, I am sure, to come in here subsequently to say that the modelling should not be believed. What absolute hypocrites. It is an absolutely shameless scare campaign.

**Senator BIRMINGHAM** (South Australia) (14:18): Mr President, I ask a supplementary question. With just 18 hours left before Treasury officials appear to give evidence to the shotgun inquiry into Labor's carbon tax legislation, will the minister give a commitment that this modelling will be released before that hearing occurs, and if so will it be released today so as to at least provide members with some time to read it before having to ask questions on it?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:19): I have indicated now on, I think, four occasions that I am not pre-empting the Treasurer's release of this modelling.

**Senator Brandis:** So you won't answer the question. That's it, sit down.

**Senator WONG:** I am being told by Senator Brandis to sit down. I clearly am not sufficiently obedient to Senator Brandis. Those opposite want to talk about reading time. I went back to the Work Choices debate, where there were 337 amendments—

**The PRESIDENT:** Senator Wong, you need to address the question that is before the chair and to address your comments to the chair.

**Senator WONG:** I have indicated to the opposition that I will not be pre-empting the Treasurer's release of the modelling. The senator comes in here claiming he wishes time to read it. That was not the approach his government took on Work Choices. There were 300-plus amendments that were released 39 minutes before the debate—seven seconds per amendment. We remember.

**Senator BIRMINGHAM** (South Australia) (14:20): Mr President, I ask a further supplementary question. Will the minister explain why it is that she will not and cannot answer these most basic questions about whether the updated Treasury modelling has been completed and, if so, when exactly it will be released? If Labor cannot be trusted to give a straight answer to such basic questions of process will the minister explain how on earth anything they say about the impact of their incredibly complex carbon tax can be believed by the Australian people?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:21): In relation to the first part of that
question, I have answered that by indicating that it is for the Treasurer to make this announcement. In relation to the second part of the question, those on the other side have engaged in the most shameless scare campaign. They have a leader who rocks up to a coalmine and says, 'This is the end of the coal industry.' Wrong. We have Senator Birmingham now coming in here advocating against a carbon price when he previously advocated for one. We have those on the other side running around telling Australians the sky is going to fall in if we price carbon, just as John Howard promised to price carbon prior to the 2007 election. It is absolute hypocrisy and a shameless fear campaign from those opposite, and history will judge those opposite very harshly. (Time expired)

DISTINGUISHED VISITORS

The PRESIDENT: Order! I draw to the attention of honourable senators the presence in the gallery of the Australian Political Exchange Council delegation from Vietnam, led by Ms Nguyen Thi Ha. On behalf of all senators, I wish you a warm welcome to Australia and in particular to the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Asylum Seekers

Senator HANSON–YOUNG (South Australia) (14:23): My question is to the Minister representing the Minister for Immigration and Citizenship, Senator Carr. My question relates to comments made by Minister Bowen back in August 2006. He told the House:

We say that asylum seekers should be treated the same regardless of how they land. We say they should be dealt with fairly, swiftly and on Australian soil.

Now we have Mr Abbott and the opposition pushing for any third country to be a signatory to the refugee convention, although of course in 2001 Nauru was not one. They worry about protections, yet are happy to send people back to sea. When will the government accept that the Australian people want to see genuine leadership and want an end to this rank hypocrisy?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:23): I thank Senator Hanson-Young for her question. I can indicate that the Prime Minister has made the position of the government very clear on this matter. The government intends to pursue our legislation through the parliament. The government is of the view that this is the right balance between legal certainty for offshore processing and the protection for asylum seekers. The government takes the view—

Senator Brandis: Why don't you try offshore processing at the only place it actually worked?

Senator CARR: Lord Brandis, why don't you listen? You might learn something. It is the right plan to stop desperate people—

Opposition senators intervening—

The PRESIDENT: Order! Senator Hanson-Young is entitled to hear the answer in silence.

Senator CARR: The Prime Minister has made it perfectly clear that the government's view is that this is the right plan to stop desperate people getting on boats and risking their lives. I know those opposite are determined to wreck the offshore processing arrangements and they have quite clearly identified what their political strategy is. The legislation will be assessed—

Opposition senators intervening—

The PRESIDENT: Order! If you wish to debate the issue—

Senator Cormann: You have a strong track record—
The PRESIDENT: Senator Cormann! I am in the process of seeking order in this chamber so that we can listen to the answer. If you disagree with what the minister is saying then the appropriate time to do that is post three o'clock.

Senator CARR: The government is of the view that this legislation is appropriate and it is appropriate that the minister be required to have regard to whether a country has given Australia assurances on two key protection issues—that is, firstly, the nonrefoulement, that no genuine refugee will be returned to a country they have fled; and, secondly, that there will be access to a refugee assessment process. In essence, the government’s position is to entrench in law arrangements whereby we consider whether a country will provide the protection under the key tenets of the refugee convention. The government is determined to pursue these questions and, to answer Senator Hanson-Young’s question directly, we have no intention of resiling from that position.

Senator HANSON-YOUNG (South Australia) (14:26): Mr President, I ask a supplementary question. It seems as though hypocrisy still reigns. My question is in relation to what the Prime Minister said today. This morning the Prime Minister said that Nauru would waste billions of dollars. How many billions of dollars will be saved by dumping offshore processing and instead assessing the claims of asylum seekers, in the words of the minister himself, ‘fairly, swiftly and on Australian soil’?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:27): The government has made it perfectly clear that we are pursuing a policy to ensure that we actually break the criminal syndicates that are seeking to take advantage of people’s suffering and we are seeking to do all we can to stop the boats arriving. We want to ensure that there are appropriate offshore arrangements that will provide sufficient deterrence for those who would ply the trade. The government do not resile from the position it has put. As far as we are concerned, there is no issue that Nauru would not be a satisfactory destination for that type of processing, that there would in fact be—

Opposition senators interjecting—

The PRESIDENT: Order! I need silence on my left. There are 31 seconds left.

Senator CARR: It is quite clear that the operational costs for Nauru—

Honourable senators interjecting—

The PRESIDENT: Order! I remind senators that if you wish to debate it, the time for that is three o'clock.

Senator CARR: Operating Nauru would be in the order of $980 million over four years—just operational expenses alone. That clearly would be an extraordinary— (Time expired)

Senator HANSON-YOUNG (South Australia) (14:29): Mr President, I ask a further supplementary question. Will the government end this undignified squabble and now consider heeding the advice of the High Court to stick by our international obligations and process all asylum seeker claims here, onshore, as the majority of Australians would support?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:30): That is not the presentation of the High Court’s decision that the government would agree with. Clearly, the High Court made a judgment based on the existing law. The government is seeking to amend the existing law to take into account our commitments to the human rights convention, specifically to give legal force to those commitments. And we are seeking
assurances from countries such as Malaysia to enforce those commitments, such as nonrefoulement, and to ensure that we have access to proper refugee assessment processes. That is the core of our amendments, which have been presented to the parliament, and we look forward to each and every member and senator casting their views on those amendments.

**Carbon Pricing**

**Senator CORMANN** (Western Australia) (14:31): My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. What will be the net reduction in global emissions as a result of Labor's proposed carbon tax for Australia?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:31): I am not sure if the senator was in the chamber for previous debates on this issue but I think that question has been asked a few hundred times. I would make two points in response. First, in relation to the impact on Australian pollution, the carbon pollution would fall by around 160 million tonnes per year in 2020. Of course, the coalition do not want to talk about that—160 million tonnes per year in 2020 compared to what it would otherwise be. I would also make the point that that is in fact the coalition's policy but they are going to double the cost for Australian business in achieving it.

In relation to global emissions: obviously, as we have said on many occasions, climate change is a global problem. It demands action from countries across the world and action by major emitters and other nations as well. It is incorrect to suggest that the government has ever suggested that somehow climate change is only fixed by one country. What we do say is that it is a global challenge but we also say this: Australia has to be part of the response.

The policy question before the chamber when this legislation comes in will be: what is the best mechanism for us to be part of that response—that of the government, who want to impose a price on carbon, an economically efficient mechanism; or that of the opposition, who want to tax Australians $1,300 more per year to double the cost on Australian business of the transition to a clean energy economy? Which of the two policies is better?

**Senator CORMANN** (Western Australia) (14:33): Mr President, I ask a supplementary question. Given the minister is unable to advise the Senate by how much global emissions will go down as a result of Labor's carbon tax for Australia, can the minister advise the Senate by how much more emissions in China and other parts of the world will go up as a direct result of the government's carbon tax helping overseas emitters take market share from Australian businesses?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:34): Essentially, that is a policy proposition that is against Australia taking any action on climate change. **Senator Abetz:** No, not 'any' action. **Senator WONG:** I will take that interjection. Senator Abetz says 'not "any" action'. That is true, Senator Abetz. The action you wish to take is to achieve the same outcome at a higher cost—very sensible economic policy! You will achieve the same environmental outcome—

**Opposition senators interjecting—**

**Government senators interjecting—**

**The PRESIDENT:** Senator Wong, just resume your seat. I again draw to the attention of senators that the time for
debating this is at three o'clock. There are still 25 minutes to go.

**Senator Ronaldson:** We can't wait today.

**The President:** I am sure you can. Senator Macdonald?

**Senator Ian Macdonald:** Mr President, I thought you were going to bring the minister into order, but I will take a point of order on relevance. The minister was asked about the tonnes of carbon that would increase in China. She has been going for, what, 24 seconds and hasn't even got anywhere near to answering that. She is lecturing us on other things that were not the subject of the question, and I ask you to bring her to order and ask her to answer the question or sit down if she cannot.

**The President:** There is no point of order. Senator Wong, you have 36 seconds remaining to answer the question.

**Senator Wong:** Thank you. In relation to China, I would make the point I have made on previous occasions that China is leading the world in the production of a range of low-emissions technologies. It is also piloting emissions trading in a range of major provinces with a combined population of over 200 million.

I am accused of lecturing. If the opposition are going to persist with a policy that is economically stupid, if they are going to impose higher costs on the Australian economy to achieve the same outcome, well, perhaps they need a bit of lecturing.

**Senator CORMANN (Western Australia) (14:36):** Mr President, I ask a further supplementary question. Can the minister explain why the government is so intent on making overseas emitters more competitive rather than representing effective action on climate change, this is just an act of economic self-harm?

**Senator Wong (South Australia—Minister for Finance and Deregulation) (14:37):** We want to impose a carbon price so that this economy can move efficiently to a cleaner energy economy, so we can exploit the opportunities that will continue to come for low-carbon goods and services globally. The difference between us and the opposition, if they want to talk about economic lunacy, is that our policy is economically efficient and their policy costs more. The party of Peter Costello is coming to the Australian people and saying, 'We want to impose a policy that doubles the cost of this transition.' They want to impose a policy that doubles the cost for Australian business and doubles the cost on the economy and that is to be funded by higher taxes—$1,300 a year—imposed on Australian households without any assistance. And they want to talk to us about economic lunacy!

**Economy**

**Senator PRATT (Western Australia) (14:38):** My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. Given the recent job losses in Australian manufacturing, how can the government have confidence in its policy settings and investments?

**Senator Carr (Victoria—Minister for Innovation, Industry, Science and Research) (14:38):** I know the opposition is always willing to learn. We do our best to inform them, and this will be yet another occasion for that. Senator Pratt has asked a very good question. I think we have to start from the premise that we appreciate the fact that the high value of the Australian dollar is making it very tough for manufacturing and the families it supports. We are going through
one of the biggest structural changes our society has seen, probably the biggest structural change we have seen in our economic history. We face a situation in which we have some options available to us. One of the options the opposition seems to be pursuing is that we should give up, but that is not one the government favours.

We take the view that we should be confident—and we are confident—that the policy settings are right. But we always recognise that a lot more needs to be done. We recognise that for business today there is a simple message: innovate or perish. We understand just how important it is to build the capabilities of individual firms. We understand how important it is for our firms to move up the value chain to seek out new industrial processes and to seek out new industrial products. The economic statistics are pointing to the fact that the economic fundamentals of this country are actually very strong. This might surprise you, but the last national accounts showed that in terms of gross value added we had a growth in manufacturing of 2.8 per cent in the June quarter, or one per cent growth for the whole year across the manufacturing sector. For metal products, that growth was actually 9.7 per cent. That is a surprising set of statistics, but that is what is actually happening.

We work on the basis that we have to live in the real world. We have to understand the economy as it is, not the way we would like it to be and not the way we hope it will be one day. We have to deal with real-world economics, and that is what we do. (Time expired)

Senator PRATT (Western Australia) (14:41): Mr President, I ask a supplementary question. How does the minister respond to suggestions from the opposition that the industry innovation councils should be scrapped?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:41): We are obviously very disappointed that the opposition has so much to learn. They have yet to understand the importance of collaboration, which is fundamental to building manufacturing industries in this country and to building jobs into the future. That is why the government has established the industry innovation councils, which bring together government, researchers, unions and companies at the most senior levels. It is a great strength of our manufacturing sector that we are able to ensure that people are able to confront issues, not walk away from them. They do not rely on lies and half-truths, which the opposition seems to delight in peddling.

That is why I am so surprised that the opposition now seeks to cut these programs. We know this comes on top of their existing approach to innovation policy, which is to cut support for industry. The opposition is not big on honesty or integrity when it comes to these policy issues. They are not big on coming clean on what their policies mean in the hunt for the $70 billion they need—(Time expired)

Senator PRATT (Western Australia) (14:42): Mr President, I ask a further supplementary question. Is the minister confident that there are quality jobs and opportunities for Australian workers in new manufacturing technologies?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:42): The government is confident that the priority of this country has to be high-skilled, high-wage jobs, particularly in manufacturing. Manufacturing does have a great future in this country. However, it will not be like the manufacturing of old. It will be a new manufacturing, based on high technologies, high skills and business
innovation. We will make sure that researchers in science at our universities are very much at the forefront.

Opposition senators interjecting—

Senator CARR: You might regard this as something that should be dismissed easily, but for a million Australians this is an issue of quite profound significance. Twenty-five years ago there was no biotech industry in this country, yet today we see an industry that is worth $25 billion on the stock exchange. We have seen a massive growth in opportunities as a result of our science and research programs, and we want to strengthen the links between our universities, the CSIRO and our other scientific agencies.

(Time expired)

Asylum Seekers

Senator CASH (Western Australia) (14:43): My question is to the Minister representing the Minister for Immigration and Citizenship, Senator Carr. Can the minister advise why the government should be trusted with a blank cheque for its proposed changes to the Migration Act after its disastrous decision to abolish the Howard government's successful border protection policies, the failed Afghan and Sri Lankan asylum freeze, the failed East Timor solution and the failed Malaysia solution, which alone has resulted in 241 illegal boats arriving with 12,262 people onboard, including 100 boats and approximately 440 drownings on the current Prime Minister's watch?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:44): I thank Senator Cash for her question. Temporary protection visas—she has made a great deal of these—did not stop boats arriving. Those on TPVs ended up with permanent visas. It is a pretty simple message: those on TPVs—

Honourable senators interjecting—

The PRESIDENT: Senator Carr, resume your seat. When there is silence we will proceed.

Senator Brandis interjecting—

The PRESIDENT: Senator Brandis, I have just asked for silence.

Senator CARR: TPVs actually ended up with more women and more children on boats. TPVs were a dismal failure because people on TPVs ended up with a permanent visa. TPVs were introduced by the Howard government in October 1999. They said it was to defer boat arrivals. In fact, they did not stop the boat arrivals. There were 3,722 unauthorised boat arrivals in that year alone. During the next two financial years—

Senator Brandis interjecting—

Senator CARR: Lord Brandis has asked me a question. He has asked me, 'How many people?' Well, 8,500 people—

Senator Cormann: Mr President, on a point of order: this is the second time that Senator Carr has referred to Senator Brandis not by his proper title, and I think you should call him to order.

The PRESIDENT: There is no point of order.

Honourable senators interjecting—

The PRESIDENT: Order, on both sides! If there was less noise in this chamber, Senator Cormann, it would be very helpful.

Senator Chris Evans: Mr President, he asked us to call him Lord Brandis.

The PRESIDENT: Senator Evans, that does not help the afternoon.

Senator Conroy: Have you seen his letterhead?

The PRESIDENT: Senator Conroy, that does not assist the continuation of question time.

Senator CARR: What I can tell Senator Cash is that more than 90 per cent of the
11,000 people who were granted temporary protection visas were granted a permanent visa to live in Australia. That would hardly fit into any category of deterrence. Ninety per cent of 11,000 people who got a TPV ended up—

Senator Conroy: How many—90?

Senator CARR: Ninety per cent. It would strike me by any description that that was not what the policy of those opposite set out to do. Ninety per cent of the 11,000 people who were so badly treated by the TPV program ended up with a permanent visa. Of the 9,043 who were granted a TPV, 8,600, or 95 per cent, were subsequently granted a permanent visa by the time TPVs were abolished. (Time expired)

Senator CASH (Western Australia) (14:48): Mr President, I ask a supplementary question. To continue along the long line of failures, I refer to the comments, as reported in the *Australian* newspaper, of an Afghan asylum seeker who reached Australia after the High Court demolished the government's so-called Malaysia agreement, which said:... he easily found a people-smuggler in Indonesia after being told the "route was open again".

Isn't it the case that, since the government abolished the Pacific solution and temporary protection visas, the Rudd-Gillard government and their policies have become the people smugglers' business model?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:48): Might I just remind Senator Cash that Indonesia is not a signatory to the international conventions. Your policy position is that you would turn the boats around and tow them out to sea. This is the policy position that you tried to put, Senator, and you try to claim you have got this superior attitude when it comes to human rights. I put it to you, Mr President, that a policy that sees the drowning of people on the high seas is not very humanitarian. That is exactly the policy position of the previous—

Opposition senators interjecting—

The PRESIDENT: We will continue when there is silence. The time for debate is after 3 pm.

Senator CARR: When we are lectured by those opposite on humanitarian issues, particularly with their sorry record when it comes to the actual deportation of Australian citizens or the locking up of people who have permanent residence— (Time expired)

Senator CASH (Western Australia) (14:49): Mr President, I ask a further supplementary question. I refer to the comments made by senior Labor Left faction leader Senator Doug Cameron, who says of the government's planned policy changes that 'they breach Australia's international obligations and the ALP's stated policy'. If the government's own caucus members do not have confidence in its border protection policies, how can they expect the Australian public to?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:50): I find it quite incredible that the opposition, which is so badly divided on these questions, would seek to give us advice. People are engaging in a serious public debate about the humanitarian treatment of refugees and our international treaty obligations— which the government maintains it is honouring through the legislation it has before the parliament— whereas your policy is to tow back to sea vessels that come to this country, risking the drowning of many thousands of people. We have a situation where your historical record is a legacy of shame—and you want to give us advice on human rights! I find you have more front than Myers to be able to argue
that case. Frankly, your position is without credibility. You have no credibility when it comes to the issue, given the way in which you have treated Australian citizens, let alone people seeking refugee status in this country. (Time expired)

**Future Fund: Tobacco Industry**

**Senator DI NATALE** (Victoria) (14:51): My question is to the Minister for Finance and Deregulation, Senator Wong. It was reported in March this year that amongst its portfolio of investments the Future Fund held sizeable stakes in several tobacco companies. These investments included $46 million in British American Tobacco, $36 million in Philip Morris International and holdings in several other companies. Can the minister advise whether this is still the case and the current size of the Future Fund's investment in the tobacco industry?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:52): I think the senator is referring to some figures which were released earlier this year by the Future Fund. It is probably useful to preface the answer to that question with a brief recognition of the relationship between the government and the fund. The fund is independent. The government has provided the Board of Guardians of the fund with an investment mandate, but the fund is provided under the legislation and as a matter of practice with autonomy in relation to its choice of investments.

The public policy reason for that is clearly this: we do not think it is a sensible proposition—and this is, I think, a bipartisan position—for politicians to be directing investments or the investment strategy of an entity such as the Future Fund. I recognise that at times that causes some concern, and some issues have been raised publicly, but I think the bigger and more important public policy objective is to ensure there is an appropriate independence and arms-length relationship between the government and the Board of Guardians, which is charged with managing the investment.

I think the figures to which you refer were released under FOI by the Future Fund. I do not have up-to-date information on where investments are at any one time. In fact, that would change quite regularly in accordance with the investment decisions made by the fund from day to day, week to week or month to month. So holdings in any particular area may change.

**Senator DI NATALE** (Victoria) (14:54): Mr President, I have a further question. In May this year the Future Fund dumped its holdings in several companies involved in the manufacture of cluster munitions. At that time a spokesperson for the fund said that they would monitor the portfolio and assess whether further exclusions became necessary or whether current exclusions could be removed. Can the minister advise whether the fund could consider a similar process for divesting itself of tobacco stocks?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:55): In relation to the first part of the question, there was a divestment of holdings in companies engaged in the production of cluster munitions. I am advised by the fund that their policy is not to invest in activities that contravene Australian law or international conventions to which Australia is a signatory. Consistent with that policy, the board decided not to invest in companies identified as having activities in contravention of the Convention on Cluster Munitions or the mine ban treaty. But I would say to the senator that it is not easy in practice to engage in a divestment of anything that anybody thinks is problematic. I appreciate the point he is making in raising this. (Time expired)
Senator DI NATALE (Victoria) (14:56): Mr President, my second supplementary question is: how does the government then reconcile its strong stance against tobacco, including its courageous plain-packaging legislation, with this massive investment in the very same industry?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:56): I think I have explained that to the senator. We have a very clear view about the way in which we believe the governance of the fund should be undertaken. We do not believe the fund should be managed by politicians making directions about investment strategies. It is in the interests not only of Australian taxpayers now but of taxpayers in the years to come for the investment strategy to be undertaken by the fund autonomously in accordance with its investment mandate.

I thank the senator for his recognition of the work the government has done, particularly the Minister for Health and Ageing, in relation to tobacco—certainly more than any previous government has done. I understand his concerns, but what I would say to him, respectfully, is that there are more sensible ways in terms of public policy to deal with tobacco companies than for politicians to get engaged in a process whereby we tell the Future Fund where and how to invest. Whilst I have some sympathy for his views in many—(Time expired)

Workplace Relations

Senator BOYCE (Queensland) (14:57): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans. I refer the minister to the impact of regulation 144, which he recently signed, imposing a financial burden of over $500 million on up to 316 Queensland community welfare organisations for back pay for which they have not been funded. Given that the Queensland Red Cross division will have a back pay liability likely to total between $4 million and $5 million, which services should the Australian Red Cross no longer provide due to the minister's burdensome regulation?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:58): I thank the senator for her question. I would point out to her, though, that this is a complex issue and it is something we are going to have to work through. I understand a disallowance motion has been sponsored by the opposition in relation to this matter and I think we have offered a briefing to the opposition. It is a complex matter.

As senators may or may not know, in 2009 the Queensland Industrial Relations Commission made a pay equity decision that increased wages for employees in the Queensland social and community services sector—the SACS sector—by adjusting rates of pay under the award. The Fair Work (Transitional Provisions and Consequential Amendments) Regulations require Queensland SACS sector employers who received additional funding from the Queensland government following the Queensland pay equity decision to pay employees in accordance with that decision. That is, the Queensland government funded certain employers to pay that wage decision. Following the Queensland pay equity decision, the Queensland government committed an additional $414 million to a range of Queensland providers—they were the ones that were subject to the pay equity decision and included some that were bound by federal transitional awards. The Queensland government subsequently decided to refer the power to the Commonwealth to extend the Fair Work Act.
Had it not done so, employers who were bound by the federal transitional awards would have moved to the Queensland system and become subject to the pay equity decision from 27 March 2011 when transitional awards expired. As a condition of the referral of power, the Queensland government asked the Australian government to extend the pay equity decision rates of pay to employers bound by federal transitional awards. The government agreed to this request and also reflected its commitment to the heads of agreement with the Australian Services Union. (Time expired)

Senator BOYCE (Queensland) (15:00): Mr President, I ask a supplementary question. I thank the minister for acknowledging that this is a complex issue. Apart from the Australian Services Union and the Queensland Bligh Labor government, who did the minister liaise with prior to signing regulation 144? In particular, what community welfare organisations did he consult?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (15:01): I thank the senator for her supplementary question. I am happy to provide a briefing for her and the opposition more generally, but it is the case that the Queensland government advised Commonwealth that the employers prescribed by the regulations all received additional funding following the pay equity decision—so it advised us of those employers.

Senator Abetz: There's a hospital pass!

Senator CHRIS EVANS: It is just a reflection of what occurred. We have been dealing with the Queensland government on those matters. I am aware that there has been some concern in Queensland among some employers about whether they were captured appropriately by these arrangements. As a result, we have been talking with them about how we might resolve these issues.

Senator Ian Macdonald: Mr President, I have a point of order on the question of direct relevance: Senator Boyce asked which organisations, apart from the Queensland government and the union, did Senator Evans consult with. He has got 15 seconds to go, and he has not got anywhere near that question.

The PRESIDENT: I believe the minister is answering the question. You are right: the minister does have 15 seconds remaining to answer the question.

Senator CHRIS EVANS: Mr President, I am, as always, trying to be helpful. Senator Macdonald might like to take an interest in the issue rather than try to score political points. The problem is that the Queensland government was responsible for the list—(Time expired)

Senator BOYCE (Queensland) (15:02): Mr President, I ask a further supplementary question. As the minister points out, it would appear that the Queensland government and the Australian Services Union were the only people consulted. Given that there was next to no consultation and that there are now at least 316 community organisations that are worried about a back pay liability of at least $500 million, will the minister now reconsider the regulation or has he, as the government has on the carbon tax, just stopped listening to the community?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (15:03): I have tried to help the senator with a serious response to what is a complex and serious—
Senator Ian Macdonald: Just answer the question!

Senator CHRIS EVANS: Senator Macdonald, will you stop being such a bully boy? Just let me answer the senator's question, would you? We know you are rude and ignorant, but this is ridiculous.

The PRESIDENT: Senator Evans, that is not necessary.

Senator CHRIS EVANS: I withdraw, Mr President. I am trying to give Senator Boyce a serious answer about a serious issue. I have offered the opposition a briefing on this matter. It is a difficult issue, and we have been dealing with employer groups. I would note, however, that a number of employer organisations conducted a series of information sessions for SACS employers in Queensland, so there was an effort to inform people and deal with them. I understand that has not been adequate and that there are people left in a difficult situation, so we are attempting to resolve the situation. I am happy to brief the opposition. We are in the process of trying to resolve the complexities of it and we are working our way through that. As I say, I am happy to brief the opposition on how we are going with that process.

Mr President, as much as I would like a question from Senator Macdonald, I ask that all further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Middle East

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy, Deputy Leader of the Government in the Senate and Minister Assisting the Prime Minister on Digital Productivity) (15:04): I seek leave to incorporate in Hansard further information to questions taken on notice from Senator Brown yesterday.

Leave granted.

The answer read as follows:

Senator BOB BROWN: Mr President, I ask a second supplementary question. Just to be clear: the question I asked of the minister was not about negotiations; it was about recognising Palestine. What are the reasons that Australia might have for not having joined other similar countries in moving in that direction?

The Minister for Foreign Affairs has provided the following answer to the honourable Senator's question:

Australia consistently and strongly supports a negotiated two-state solution that allows a secure and independent Israel to live side-by-side with a secure and independent future Palestinian state.

The Australian Government has consistently called on all parties to return to negotiations as a matter of urgency.

The Government believes that it is only through negotiation between the two sides that final status issues such as borders, security and Jerusalem can be solved and that a just and enduring peace can be achieved.

A number of countries have chosen to unilaterally recognise a Palestinian state.

Such a step, however, does not change current realities on the ground. That's why the Australian Government believes that direct negotiations are the only true path to peace.

This matter of Palestinian statehood has not yet come before the United Nations General Assembly or the United Nations Security Council (of which Australia is not a member).

Should a Palestinian statehood resolution be introduced to the General Assembly, the Government will consider it carefully and in close consultation with our friends in Israel and the Arab world before determining how to vote.

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Senator BOB BROWN: Mr President, I ask a further supplementary question. In view of the complete failure of negotiations since 1967 to move towards the recognition of Palestine or to broker peace between the two states in the two-
state solution that the minister is referring to, can he chart some other course to a two-state solution other than recognising Palestine so that the world can then move towards seeing that they live in peace?

The Minister for Foreign Affairs has provided the following answer to the honourable Senator's question:

As the Australian Government has consistently made clear, we believe that the only way that a just and enduring peace in the Middle East can be achieved is through negotiations towards a two-state solution.

Australia is a friend and close partner of Israel's, and has a strong and long-standing commitment to Israel's right to security and self-defence.

Australia is also a friend to the Palestinian people, and is making a tangible contribution to the peace process through support for the Palestinian people and the state-building efforts of the Palestinian Authority.

Since 2007 the Australian Government has provided nearly $170 million in humanitarian and institution-building assistance to the Palestinian Authority and Palestinian refugees.

The Government recently finalised a five-year development partnership with the Palestinian Authority under which Australia will provide up to $120 million in budget support to the Palestinian Authority, delivered through the World Bank, and scholarships focusing on disciplines critical to institution building.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Carbon Pricing

Senator HUMPHRIES (Australian Capital Territory) (15:05): I move:

That the Senate take note of the answers given by the Minister for Finance and Deregulation (Senator Wong) to questions without notice asked by Senators Birmingham and Cormann today relating to a proposed carbon tax.

As we rush into the Labor Party kitchen, we see so many pots boiling over on the stove it is hard to know which one to turn to first. I suggest that the urgency of the carbon tax issue needs to be addressed, because it is the issue that will confront the Joint Select Committee on Australia's Clean Energy Future Legislation tomorrow. As the question from Senator Birmingham today demonstrated, vital information for that inquiry is not yet available. Here we have the government's own cooked-up process of rushing its carbon tax through the parliament, and we have an inquiry set up—albeit at great haste and in the most unorthodox style—with a committee chaired by a Labor MP—

The DEPUTY PRESIDENT: Senator Humphries, just pause a moment. Senators leaving the chamber or holding conversations in the chamber: please leave so the debate can ensue.

Senator HUMPHRIES: It is a committee chaired by a Labor MP and deputy chaired by Senator Milne—a Labor chair and a Greens deputy chair. This is a most unorthodox approach towards this key issue for Australia's economic future, and we have today been told that the minister cannot advise the Senate as to whether the economic modelling on which the carbon tax is based has even been completed. We cannot even be told that much about this incredibly important process which is presently underway. So we have a committee which has six days to receive submissions from the Australian public about this carbon tax and no information about whether the modelling will be available before tomorrow's hearing.

We are told that the government cannot tell us what the level of emissions reduction will be under their carbon tax. They cite what is going on in China and tell us that some wonderful things are happening in China, but the minister fails to mention at the same time that, according to former Reserve Bank board member Warwick McKibbin, China's emissions will be increasing by 496 per cent
between now and 2020. Again, there is no information before the Senate about those issues.

This leaves the Senate in a position where it simply does not know enough about what is going to happen with this carbon tax to make an educated, careful decision on behalf of the Australian people. Question time is the time for the government to answer questions about its tax—a tax which was conceived in deceit, a tax which the Prime Minister said would not happen under a government she led. So we roll into hearings on this vital legislation and we do not have the information necessary to make the right decisions about it.

In a week where we have discovered that Alcoa Australia is warning that Victoria's two aluminium smelters face a significant threat due to the carbon tax, in a week in which the Australian Trade and Industry Alliance has revealed that nine out of 10 manufacturing jobs are with companies that will face the full impact of the carbon tax, in a week where that same data shows that less than nine per cent of Australia's one million-plus manufacturing workers are employed by firms that will have no compensation from the Gillard government, we are entitled to be concerned and upset about the lack of information before the Senate and before its committees.

The government today offered no enlightenment on those issues whatsoever. It leads ineluctably to the question: what has this government got to hide? Why can't we put that information on the table? The government has had long enough to debate these issues, to sort out internally and with the Greens where it is heading with this carbon tax. The question is fairly asked: why can't it provide that basic information? If there is indeed Treasury modelling of the carbon tax, why isn't it on the table now, with just a couple of weeks to go before the committee that is examining this issue brings its report down and before the debate reaches the Senate? It just is not good enough.

This is a government which has deceived the Australian people from the very beginning about its carbon tax. This carbon tax will destroy jobs. This carbon tax is executed with contempt for the Australian people, because it was promised not to be executed at all. The Senate is entitled to more than it is getting from the government on this question. The government needs to come clean. When will we know the details of this tax sufficient to discharge our obligation to the Australian people to properly examine this package of 19 bills? The fact is we are not going to get that information, and the government stands condemned for being dishonest with the Australian people.

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (15:10): Thank you, Mr Deputy President, for the opportunity to respond to Senator Humphries on this most important issue of pricing carbon. What Senator Humphries did not say anything about this afternoon was the Liberal Party's own plan in respect of carbon.

Senator FARRELL: Because it wasn't in question time. That's why. We're taking note of answers to questions.

Senator FARRELL: Yes, and I am answering your question.

Senator Humphries: I didn't ask a question.

Senator FARRELL: Well, I am responding to you, Senator Humphries.

The DEPUTY PRESIDENT: Through the chair, Senator Farrell and Senator Humphries!
Senator FARRELL: I fully intend to do it through the chair. Thank you, Deputy President, for that timely reminder. We have not heard anything about the Liberal Party's plans in respect of carbon or the fact that they have got a plan. They have got a plan. Mr Abbott has got a plan. But the problem is that it is the wrong plan. It is a plan that, if, by misfortune, they get into government and are able to implement, will leave Australian families worse off by $1,300 a year more in taxes that they will be paying.

Senator Humphries: Table the figures to show that.

Senator FARRELL: Senator Humphries, if your plan is so good, why haven't you submitted that plan to Treasury? You are critical of this government about our plan. Why are you so afraid to submit your plan to Treasury for testing? I know why Senator Humphries is so reluctant to submit his plan to Treasury. It is because he knows what this government is saying about his plan in respect of carbon is right—that it will increase costs to the ordinary Australian by $1,300 a year, and all of that money will go to the big polluters.

Senator Humphries claims we are trying to rush this through the parliament. That is the core of his allegations. I remind Senator Humphries that he was part of a government led by John Howard that in 2007 went to the election telling the people of Australia—yes; do not look so surprised, Senator Humphries—that they were going to do something about carbon pollution. John Howard was going to do something about it. But of course the Australian people had the wisdom to reject Mr Howard. They elected a Labor government, and for the last three years we have not been talking about anything else other than putting a price on carbon.

Senator Cormann: You told people you wouldn't do it!

Senator FARRELL: We have been talking about this for three years, Senator Cormann. If you have not heard the message from us then you just have not been listening. We have been talking about this for three years, and now we intend to do it. We are going to put a price—

Senator Cormann: 'There will be no carbon price under the government I lead'!

The DEPUTY PRESIDENT: Order!

Senator FARRELL: Thank you for that protection, Mr Deputy President. If you have not heard, Senator Cormann, for the last three years we have been talking about this issue. We continue to talk about it and now we are going to do something about it. John Howard talked about it in 2007. Now the Gillard government is going to do something about it on behalf of the Australian people, who want something done about carbon pollution. The Australian people want us to do something about it, and that is what we are going to do. You have had ample time to look at what we are proposing on this issue. Senator Humphries, every question you ask has an answer. The big answer is that we are going to solve, to the extent we are able to and to assist—(Time expired)

Senator McKENZIE (Victoria) (15:15): I too rise to take note of a question asked by Senator Birmingham of Senator Wong, who stated that the impact of the carbon tax was modelled on the entire economy. We would really love to see some of that modelling. My constituency would love to see the modelling of the carbon tax impact on those in regional Australia. In regional Australia, we know emphatically that a one-size policy does not fit all. The Queensland and Victorian governments can model the impacts of the carbon tax. Why can't the federal government release their modelling? We
need to know because it is sapping confidence from regions that are already under stress.

I am here today to give the government some benefit from the detailed modelling released by the Victorian government on the impact for Victoria. It was commissioned by the Department of Premier and Cabinet and conducted by Deloitte Access Economics. The results show that in 2015 there will be 35,000 fewer jobs in Victoria than otherwise, aside from the carbon tax, which represents a decrease of 1.8 per cent in our economic output as a state. This modelling includes detailed analysis of the impact of the carbon tax on regional Victoria.

The modelling shows that the Latrobe Valley will experience severe hardship as a result of the carbon tax. By 2020, there are set to be job losses of over 874 workers in the Latrobe Valley, an area that has been through significant restructuring over the recent past. In my local constituency of Bendigo, by 2020 there will be 705 fewer jobs as a result of the government's carbon tax. This represents a 1.3 per cent decrease in employment locally. In Ballarat, another huge regional centre, there will be 663 fewer jobs by 2020, representing a 1.2 per cent decrease in employment. I hope Mr Steve Gibbons, the Labor member for Bendigo, and Catherine King, the Labor member for Ballarat, will consider walking those 10 short steps in the other place to stand up for their constituencies and their workers.

In Shepparton in the north-east of Victoria, the modelling suggests that there will be 319 fewer jobs in an area where food processors such as SPC Ardmona are already closing as a result of external factors. That puts more pressure on these regional economies. In Mildura, there will be 222 fewer jobs by 2020. Regional Victorians spend more on energy and transport than those who live in Melbourne. Whilst agriculture is out for now and transport—so vital to our way of life and crucial to the viability of our local industries—has a temporary reprieve, the increased on-costs are definitely an issue for those of us who live outside the capital cities.

The Victorian Farmers Federation are concerned with the substantial indirect costs involved with the carbon tax scheme. While fuel is excluded, the major cost impact will be on electricity use. We do not have any doubt about that. It is estimated that this could cost a dairy producer $6,000 a year—$6,000 a year for every dairy farming family right across regional Victoria and, indeed, other states.

The Victorian Employers Chamber of Commerce and Industry, VECCI, has also strongly criticised the carbon-pricing model and its lack of support for small- and medium-sized businesses. These mum-and-dad businesses are the backbone of regional economies. They employ over 75 per cent of our workforce locally. Ross Weightman from a Mildura packaging and supplying company has said that products will probably end up being imported because of the effect of the tax on the manufacturing industry and the like.

This policy is also going to affect our public hospitals and transport, with modelling showing that our public hospitals will be seeing over 2,500 fewer operations as a result of the increased cost of electricity. Let us face it: the government needs to look at how regional areas will once again be carrying the can for their failed policy misadventures.

Senator MARK BISHOP (Western Australia) (15:20): Sometimes when the opposition moves motions in the take note of answers debate, one could be excused for thinking we have shifted over to Alice in
Wonderland mode because not one item of sense or truth has yet been put in this entire debate. Senator Humphries took a long time to establish the fact that modelling was not clear or it has not been received in an adequate manner, that there had not been sufficient days set aside for a committee of inquiry, that only six days was going to be given and that the Senate cannot be asked to give consideration to a package of bills in a careful considered manner absent a proper inquiry. Let us establish on the record what the facts are in the debate around the government's clean energy legislation. A package of 18 or 19 bills was circulated in early July to the wider community. Some 300 written submissions were received over the next month that identified issues, shortcomings, deficiencies and matters of interpretation. The government received those submissions, put them in context and circulated a revised package of bills which has now been introduced into both houses of parliament.

Not only have they introduced the revised legislation; they—or the government and the opposition—established a joint committee that is not a narrow committee but a committee comprising members and senators from all parties who have people elected to both houses. That committee is going to sit for some six, seven or eight days. It will, as is the case with all committees, receive submissions. It will sit in public during the day and during the night. It will have the benefit of expert evidence. It will receive material from a range of witnesses. All of the public servants who have been involved in the policy determinations behind the government's position will be available for questioning and scrutiny. Legal counsel will be there to aid the committee in the interpretation of particular pieces of legislation.

That full, detailed and more than adequate scrutiny of an important set of bills is not the only thing that has occurred. For the record, that will be the 18th parliamentary committee of inquiry into various aspects of carbon price legislation, carbon pricing or clean energy legislation. This issue has been around the circus for the last three or four years. So let us not suggest that there has not been a wealth of public discussion. Let us not suggest that every possible argument, in whatever form, has not been put and considered by both the proponents and the opponents of a carbon pricing scheme. It has been out there for the last three or four years. It has been examined and discussed.

People are certainly aware of the government's position. The government's position has been crystal clear. The Prime Minister announced it earlier this year. On behalf of the government, she said that the government would introduce clean energy legislation. We proceeded to establish a multi-party climate change committee to do the preparatory investigatory work on the government's announced policy. We invited Independent members of parliament to participate in that multi-party committee on climate change. We invited minor party representatives from the Greens to participate in that inquiry. And we invited the second major set of parties in this parliament to participate, the Liberal Party and the National Party, and they refused to participate. They refused to bring any considered position at all to the deliberations of that Multi-Party Climate Change Committee.

What did that committee do? It sat for nine months. It had access to verbal and written submission from a wide range of interested stakeholders who wanted to say something about the government's proposition for clean energy legislation. It did not matter if you were an industry group,
a producer group, a rural group, a group from regional Australia, a group that was opposed or a group that was in favour. Every group, every set of witnesses, that put in a submission and asked to come to that Multi-Party Climate Change Committee received an invitation to attend and to give their evidence and was the subject of examination by all of the members of the committee who participated. *(Time expired)*

**Senator EDWARDS** (South Australia) *(15:26)*: I rise to take note of the answer given by Minister Wong in her role representing the Minister for Climate Change and Energy Efficiency. I notice that Senator Bishop made reference to my colleague Senator McKenzie, suggesting that there may be some parallel with *Alice in Wonderland*. I remind Senator Bishop that fairies do not live in the bottom of the garden. Your own Climate Change Commissioner has already admitted publicly that the climate will not change for maybe a thousand years. From the outset, the Labor-Greens carbon tax has been a complete shambles. Handcuffed to the Greens you are. You are walking down the aisle together, about to walk Australia into an economic nonsense. Indeed, Senator Bob Brown has handed you jelly-back Labor fellows an economic hand grenade.

As we heard in question time today, Senator Wong could not answer Senator Birmingham. It was another lesson, like the one from Minister Carr, in how to not answer questions in question time. She did not get to it. She could not supply an answer on updated modelling or when it would be released—some time this week. All we got was a cross and cranky Senator Wong, who preferred to sledge the opposition than answer the question. I can understand why she is so short-tempered. Her party sold out to the Greens to hold on to government.

**Senator Ludwig**: Mr Deputy President, I rise on a point of order. It perhaps might be wise to point out that you, Deputy President Parry, are not a she. Perhaps the good senator could direct his references through the chair.

**The DEPUTY PRESIDENT (Senator Parry)**: Thank you, Senator Ludwig. Continue, Senator Edwards, but be careful to address the chair correctly.

**Senator EDWARDS**: I will address my comments through the chair. We know that the government said before the election that there would be no carbon tax. That has been spoken about a lot throughout the community, in this chamber and in the other place. We know that this carbon tax will increase the cost of everything without actually reducing Australia's emissions or the globe's temperature. We know that this tax is not supported by the Australian people. To further add insult to injury to the economy, they intend to ram their carbon tax legislation through the parliament without proper scrutiny. If Labor truly believe that this carbon tax is in the best interests of Australia then they should not fear scrutiny of this legislation. Australians only have until Thursday to get their submissions in to this, as Senator Birmingham called it, shotgun inquiry. There are 19 bills, more than 1,100 pages of new laws for Australia and they have allowed less then four weeks for public comment. Labor knows Australians do not want this tax but it is handcuffed to the Greens. It is a tax that will cost jobs, drive up prices and hurt the economy but will not reduce Australia's carbon emissions—

**An opposition senator**: Not one bit.

**Senator EDWARDS**: not one bit. Labor is in denial of the facts and clearly does not want the Australian people to have their say. The Australian Labor Party should rename
itself the Australian Taxation Party because what drives it in 2011 is finding more ways to take money from people to fund its own causes and its own misuse. Why doesn't Labor want to go to the Australian people for them to have a say on carbon tax? Because the government's own figures say that three million households will be worse off under a carbon tax. Three million Australian households will be worse off and should have an opportunity to express their opinion to the committee inquiry. But, no, Labor is effectively silencing them.

Not only will three million Australian households be worse off but this could not be a worse time for Australians who are in the manufacturing industry. Australia's manufacturing sector is already under enormous pressure. A carbon tax will increase costs, which overseas competitors do not have to pay. Jobs will go offshore to factories which will emit more emissions than Australian manufacturers, and, under the current economic circumstances, businesses cannot afford another tax. Australian businesses will be at a major disadvantage. There will be no level playing field when it comes to a carbon tax. Australian jobs will be sent offshore for no good environmental gain. The tax will push up the price of electricity, gas, transport and food. Airfares will increase because the tax applies to aviation fuels, and freight transport is only exempt until after the next election. It is simply a device to redistribute, a huge money-go-round where some big companies are to be recompensed because otherwise they will be at a huge disadvantage compared to their competitors overseas. (Time expired)

Question agreed to.

**Future Fund: Tobacco Investment**

**Senator DI NATALE** (Victoria) (15:32): I move:

That the Senate take note of the answer given by the Minister for Finance and Deregulation (Senator Wong) to a question without notice asked by Senator Di Natale today relating to the tobacco industry.

Firstly, just to put the problem in its context, I think it is important to understand that we have a huge issue with tobacco control in this country. One in six Australians still smokes. Around 15,000 Australians die from tobacco related illnesses. The economic costs of tobacco addiction are estimated at over $31 billion. That is more than half of the total health budget and it is 50 per cent more than the entire defence budget. It is a staggering sum of money. If we could only divert just a fraction of those costs to the economy, we would inject billions more into our nation's hospitals and its schools. As it is, we currently pay for 750,000 hospital bed days a year, and $600 million is spent by our hospitals directly on treatment of these diseases. Tobacco is a leading cause of preventable death and illness. The costs are huge, it is an enormous burden on our nation's health system and, under these circumstances, no government should sit on its hands.

It is important also to remember that, while sales of tobacco might be declining in developed countries, the tobacco industry is aggressively targeting low-income countries. Tobacco makers are targeting those emerging markets in order to compensate for declining sales in countries like Australia. So, unlike the people who use its product, the tobacco industry is in good shape.

The government has done some good things in this area. It set up the Australian National Preventive Health Agency, which is a very positive initiative, and, not surprisingly, tobacco control is at the top of its agenda. It has a target of reducing tobacco addiction to 10 per cent by 2018, and that is a worthwhile target. The government is also
to be congratulated for its plain-packaging reforms.

But it is important to remember that the tobacco industry has fought every advance in tobacco policy since its inception. It has very deep pockets and, while it might not be able to hide from the body count of its product, it does aim to delay reform, to obfuscate and to deceive. History tells us that, with the current reform, we can expect attacks from all directions. This is an industry where experts are produced on demand, where controversy is manufactured, where the evidence is muddied and where the industry delays and stalls in order to sell more of its product. The industry also donates to political parties, and we are very disappointed that the Liberal Party has not adopted the policy of the Greens, which is to refuse to take tobacco donations in order to buy influence.

The government is not without fault, because, through the Future Fund, it currently invests taxpayers' money in the order of $150 million into this industry. We have funds in the order of $50 million going to British American Tobacco, $37 million to Philip Morris International and $26 million to Lorillard Inc., and there are a number of other entities. It is critical that the government change the Future Fund Act to ensure that it no longer invests in an industry which is undermining its own efforts in reducing preventable death and disease in the area of tobacco related illness. This is one of the major contradictions that lies at the heart of tobacco control policy in this country.

Of course, there are other things that can be done. We can extend the smoking restrictions in outdoor areas. I know that in my own home state the Municipal Association of Victoria has urged for a uniform state policy in that area. That is an important step, but the federal government has its part to play in this. It needs to address as a matter of urgency the contradiction that lies at the heart of its tobacco control efforts, and that is this government's investment of in the order of $150 million through the Future Fund. It is critical that it does it as a matter of urgency; otherwise, it is undermining its own attempts at what is one of the most important public health priorities in this country—that is, to stop young people from smoking and to prevent new people from taking up the habit.

Question agreed to.

NOTICES

Presentation

Senator CHRIS EVANS: To move—

That the following bill be introduced: A Bill for an Act to amend the law relating to long service leave in the black coal mining industry, and for related purposes, Coal Mining Industry (Long Service Leave) Legislation Amendment Bill 2011.

Senator CHRIS EVANS: To move—

That the following bill be introduced: A Bill for an Act to amend the social security law, and for related purposes, Social Security Legislation Amendment (Family Participation Measures) Bill 2011.

Senator LUDWIG: To move—

That—

(1) Divisions may take place on:

(a) Thursday, 13 October 2011, after 4.30 pm; and

(b) Monday, 21 November 2011, before 12.30 pm.

(2) The order of the Senate of 22 November 2010 relating to the days of meeting of the Senate for the year 2011, be modified as follows:

Insert "Monday, 7 November to Thursday, 10 November".

(3) On Tuesday, 1 November and 8 November 2011:

(a) the hours of meeting shall be 11 am to 6.30 pm and 7.30 pm to 10.40 pm;
(b) the routine of business from 11 am shall be consideration of the government business order of the day relating to the Clean Energy Bill 2011 and 17 related bills; and

(c) the question for the adjournment of the Senate shall be proposed at 10 pm.

(4) On Thursday, 3 November and 10 November 2011:

(a) the hours of meeting shall be 9.30 am to 8.40 pm;

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

(c) the government business order of the day relating to the Clean Energy Bill 2011 and 17 related bills shall have precedence over all government business;

(d) divisions may take place after 4.30 pm; and

(e) the question for the adjournment of the Senate shall be proposed at 8 pm.

(5) The government business order of the day relating to the Clean Energy Bill 2011 and 17 related bills be considered under a limitation of time and that the time allotted be as follows:

(a) on Thursday, 3 November 2011, from 3.45 pm to 4 pm—second reading;

(b) on Thursday, 10 November 2011, at 4 pm—all remaining stages, excluding consideration of any messages from the House of Representatives; and

(c) on Monday, 21 November 2011, at 6 pm—all remaining stages, including consideration of any messages from the House of Representatives.

(6) Subject to paragraph (5), this order operate as an allocation of time under standing order 142.

**Senator MOORE:** To move—

That the Senate—

(a) notes:

(i) the participation and status of women in the economy is central to development efforts,

(ii) the significant contribution the Australian Government is making to improve the lives of women across the globe,

(iii) the successful APEC [Asia-Pacific Economic Cooperation] Women and the Economy Summit, held in San Francisco, California, from 13 September to 16 September 2011, where Australia committed $2.2 million to help women start and expand their own small businesses, and

(iv) that this money will help microfinance institutions providing loans to more than 26 million women by the end of 2013, enabling these women to establish their own business, send their children to school, invest in their livelihoods and improve their family's standard of living; and

(b) calls on the Government to continue to invest in empowering women through the Australian aid program.

**Senator RYAN:** To move—

That the time for the presentation of the final report of the Finance and Public Administration Legislation Committee on the exposure drafts of Australian privacy amendment legislation be extended to 12 October 2011.

**Senator SIEWERT:** To move—

That the Community Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 21 September 2011, from 4.30 pm.

**Senator SIEWERT:** To move—

That the following bill be introduced: A Bill for an Act to amend the *Fisheries Management Act 1991,* and for related purposes. *Fisheries Management Amendment (North West Slope Fishery Partial Closure) Bill 2011.*

**Senator HEFFERNAN:** To move—

That the Rural Affairs and Transport References Committee be authorised to meet during the sitting of the Senate on Wednesday, 21 September 2011, from 5 pm, for a private briefing.
Senator ABETZ: To move—

That the Senate rejects the Government's attempts to provide inadequate protections for asylum seekers in its proposed legislation to resurrect its Malaysian asylum seeker deal.

Senator CAROL BROWN: To move—

That the time for the presentation of the report of the Joint Standing Committee on Electoral Matters on the funding of political parties and election campaigns be extended to 1 December 2011.

Senator RHIANNON: To move—

That the Senate—

(a) notes:

(i) a roundtable meeting held in Federal Parliament supported a call for Sri Lanka to be suspended from the Councils of the Commonwealth because it has:

(a) refused to hold an independent investigation into alleged war crimes committed in Sri Lanka during the final stages of the civil war in 2009, and

(b) breached its commitment to uphold the 'rule of law' in the Commonwealth's values and principles, as set out in the Millbrook Commonwealth Action Program,

(ii) a precedent was set for temporarily suspending a country from the Councils of the Commonwealth when Pakistan was suspended in 1999 and Fiji was suspended in 2000 and 2006, and

(iii) the Sri Lankan President is planning to attend the Commonwealth Heads of Government Meeting in Perth in October 2011; and

(b) calls on the Australian Government to:

(i) agree to an international independent investigation into war crimes,

(ii) restore human rights and the rule of law, and


Senator LUDLAM: To move—

That the Senate—

(a) notes:

(i) that on 7 September 2001, the United Nations (UN) General Assembly passed Resolution 55/282 declaring that the International Day of Peace should be observed annually on the fixed date of 21 September, as a day of global ceasefire and non-violence,

(ii) that UN Secretary-General Ban Ki-Moon has urged member states to support the observance of global ceasefire, and

(iii) that the slogan chosen by the UN for the 2011 marking of the day is 'Peace=Future' drawing particular attention to the impact of armed conflict on children and that the world's concerns will soon be in their hands;

(b) supports non-government organisations in Australia who intend to observe the day through vigils, concerts and walks; and

(c) calls on the Australian Government to:

(i) promote the observance of a global ceasefire for the duration of 21 September, and

(ii) support the observation of a ceasefire by not engaging in hostilities for the duration of 21 September, unless provoked to do so in self-defence.

Senator LUDLAM: To move—

That the Senate—

(a) notes:

(i) that the Northern Territory Government adopted legislation to launch a territory-wide container deposit scheme from 12 January 2010,

(ii) that Coca Cola Amatil has proposed legal action against the Northern Territory Government citing a breach of section 9 of the Mutual Recognition Act 1992, and

(iii) Clean Up Australia's activities throughout Australia over the weekend of 16 September and 17 September 2011; and

(b) calls on the Australian Government to adopt a container deposit scheme by all states and territories, effectively annulling the proposed court action by Coca Cola Amatil.
Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:40): I give notice that, on the next day of sitting, I shall move:

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

- Defence Legislation Amendment Bill 2011
- Indigenous Affairs Legislation Amendment Bill (No. 2) 2011
- National Residue Survey (Excise) Levy Amendment (Deer) Bill 2011
- Protection of the Sea (Prevention of Pollution from Ships) Amendment (Oils in the Antarctic Area) Bill 2011.

I table statements of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statements incorporated in Hansard.

Leave granted.

The statements read as follows—

**DEFENCE LEGISLATION AMENDMENT BILL 2011**

**Purpose of the Bill**

The purpose of this Bill is to reflect certain Defence policy in Defence administered legislation, specifically the Defence Act 1903, Naval Defence Act 1910 and the Air Force Act 1923 to provide that a Service Chief’s day to day administrative responsibility for their respective Service cadets is subject to the direction of the Minister or the Chief of the Defence Force (CDF). The amendments will also provide the CDF with a delegation making power (to the Vice Chief of the Defence Force (VCDF)) in relation to cadet responsibility and direction.

**Reasons for Urgency**

Implementing this measure was a Labor 2010 election commitment: “A Gillard Labor Government will introduce legislation to give the Chief of the Defence Force more control and responsibility over the Cadets.” Implementation of the measure will strengthen the lines of accountability over for the ADF Cadet youth development organisation.

**INDIGENOUS AFFAIRS LEGISLATION AMENDMENT BILL (No. 2) 2011**

**Purpose of the Bill**

This Bill amends the Aboriginal and Torres Strait Islander Act 2005 to make several minor governance and business changes. One of the amendments is to ensure that information held by Indigenous Business Australia will be appropriately protected but capable of being disclosed by that organisation in carrying out its proper functions, consistent with similar Commonwealth arrangements. Another change is to amend the agency head title of several portfolio bodies from ‘General Manager’ to ‘Chief Executive Officer’, as a better reflection of the responsibilities and expectations of these roles.

**Reasons for Urgency**

The amendment to the information-handling provision is important to enable Indigenous Business Australia to disclose information to agencies with responsibility for overseeing Commonwealth administrative practices – such as the Ombudsman and the Privacy Commissioner. This has not been possible to date because of a narrow focus in the provisions in question. In the past the current provisions have also prevented information being given to Commonwealth agencies working on joint initiatives with Indigenous Business Australia – and also to State and Territory agencies seeking to work more closely with Indigenous Business Australia to achieve better outcomes for Aboriginal and Torres Strait Islander people and communities. The amended provision should overcome these difficulties, while maintaining appropriate protection of sensitive information. The new provisions will be consistent with similar Commonwealth arrangements for handling protected information, such as in the family assistance law and the Paid Parental Leave Act 2010.

The change from ‘General Manager’ to ‘Chief Executive Officer’ will support current and
potentially imminent recruitment processes for vacancies, bringing them into line with most other similar agencies, and help the Boards of these agencies to attract higher calibre candidates.

**NATIONAL RESIDUE SURVEY (EXCISE) LEVY AMENDMENT (DEER) BILL 2011**

**Purpose of the Bill**

The National Residue Survey (Excise) Levy Amendment (Deer) Bill 2011 amends the National Residue Survey (Excise) Levy Act 1998 (the Act) to increase the maximum allowable levy rate (cap) for the National Residue Survey (NRS) component of the deer slaughter levy (the levy) from 4 to 10.5 cents per kilogram of carcase weight.

**Reasons for Urgency**

The Deer Industry Association of Australia, on behalf of the deer industry, has requested increasing the NRS component of the levy from 4 to 6 cents per kilogram as soon as possible in order to maintain a viable residue monitoring program. Approximately 85 per cent of venison produced in Australia is exported. The deer industry requires a residue monitoring program to access its key export markets.

Amendments to the Act to increase the NRS cap to 10.5 cents need to be in place to enable the consideration of amendments to the Primary Industries Levies and Charges (National Residue Survey Levies) Regulations 1998 to increase the NRS component of the levy from 4 to 6 cents per kilogram of carcase weight.

**PROTECTION OF THE SEA (PREVENTION OF POLLUTION FROM SHIPS) AMENDMENT (OILS IN THE ANTARCTIC AREA) BILL**

**Purpose of the Bill**

The bill amends the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 to implement amendments to Annex I (Prevention of Pollution by Oil) to the International Convention for the Prevention of Pollution from Ships (MARPOL) which are intended to prohibit the carriage or use on ships in the Antarctic area of heavy grade oils, and bitumen, tar and their emulsions.

**Reasons for Urgency**

The amendments to Annex I of MARPOL entered into force generally and for Australia on 1 August 2011. These amendments to MARPOL, which are important to protect the marine environment, cannot be enforced by Australia until amendments are made to the Protection of the Sea (Prevention of Pollution from Ships) Act 1983.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:40): I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Clean Energy Bill 2011 and related bills, allowing the bills to be considered during this period of sittings.

I table statements of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statements incorporated in *Hansard*.

Leave granted.

*The statements read as follows—*

**Purpose of the Bills**

The bills implement a carbon pricing mechanism with the aim of reducing Australia’s greenhouse gas emissions and meeting Australia’s international emissions reduction obligations and commitments, and provide assistance to households and industry to adjust to a carbon price.

**Reasons for Urgency**

Australia needs to reduce its carbon pollution as part of global efforts to combat climate change. Cuts in global pollution are necessary to reduce the risks posed by unmitigated climate change. For Australia, these risks are large, threatening the economy, natural heritage and our way of life.

Timely introduction of a carbon price is the most cost-effective and economically responsible...
way of reducing Australia’s carbon pollution. Its timely introduction would enable Australia to play its part in global efforts to reduce the risks posed by climate change. A carbon price will also provide opportunities for innovation and investment in lower carbon technologies, and opportunities and rewards for improved land use management.

The Government is aiming to commence the carbon pricing mechanism on 1 July 2012. Passage of enabling legislation in the 2011 Spring sittings is required to provide sufficient time for businesses to prepare systems and procedures for complying with the mechanism and to consider any additional investments they may wish to make to reduce their emissions liabilities.

Sufficient time will also be needed to establish the Clean Energy Regulator, the Climate Change Authority and associated systems to administer the carbon pricing mechanism and engage effectively and efficiently with entities covered by it, to deliver assistance to households and industry and to establish any additional systems required to deliver this assistance.

Postponement

The following item of business was postponed:

General business notice of motion no. 438 standing in the name of Senator Siewert for today, relating to the North West Slope Trawl Fishery, postponed till 21 September 2011.

MOTIONS

Surf Life Saving Australia

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (15:40): At the request of Senators Boyce, McKenzie, Di Natale and Thistlethwaite, I move:

That the Senate—
(a) notes:
(i) that surf life savers are as Australian as wattle, koalas and the love of sport,
(ii) that Surf Life Saving Australia safeguards more than 100 million beach visits every year,
(iii) that in the 2010-11 financial year there were 61 coastal drownings in Australia, a decrease of more than 15 per cent on the 84 coastal drownings in the 2009-10 financial year, as outlined in the new report, National coastal safety report 2011: A summary of coastal drowning deaths in Australia,
(iv) that the Australian Water Safety Council aims to halve drowning deaths by the year 2020 and that Surf Life Saving Australia is pivotal to achieving that goal,
(v) the important role that Surf Life Saving Australia plays in our community, and
(vi) that whilst Surf Life Saving Australia provides a wonderful service, the organisation relies on the community for financial support and volunteers so it can continue ensuring our beaches are safe; and
(b) calls on the Australian Government to:
(i) continue support for Surf Life Saving Australia, and
(ii) assist Surf Life Saving Australia by providing further funding for its data research program designed to support development of education, technology, communications and operations to reduce drowning deaths in Australia.

Question agreed to.

Anniversary of the Harkin-Engel Protocol

Senator McEWEN (South Australia—Government Whip in the Senate) (15:40): At the request of Senators Moore, Marshall, Birmingham, Parry and Hanson-Young, I move:

That the Senate—
(a) notes the 10th anniversary of the Harkin-Engel Protocol signed in September 2001, designed to encourage voluntary standards for the certification of cocoa production that prohibits and eliminates engagement in the worst forms of child labour, as defined by the International Labour Organization Convention 182 which has been ratified by Australia; and
(b) calls on the Australian Government to:
(i) be proactive in measures to counter people trafficking or slavery,
(ii) actively engage in international fora to ensure greater priority for consideration of measures against child slavery and trafficking,
(iii) work cooperatively to improve traceability of products through the monitoring of their derivation where practical with reference to people trafficking or slavery, and
(iv) cooperate closely with organisations and entities against people trafficking.

Question agreed to.

**Broadcasting of West Australian Football League on the ABC**

Senator MARK BISHOP (Western Australia) (15:40): I, and also on behalf of Senators Johnston and Ludlam, move:

That the Senate calls on the Australian Broadcasting Corporation to maintain its broadcasts of West Australian Football League (WAFL) games, recognising:

(a) the widespread following of the WAFL, domestically in Western Australia quite separate from the Australian Football League;
(b) the WAFL has extensive and far reaching support throughout regional and remote areas of the state;
(c) that Australian football, our indigenous game, has a special place within our Indigenous communities and is an ideal vehicle to engage Indigenous students in school;
(d) the WAFL provides development opportunities for emerging talent in a range of skills and industries; and
(e) the WAFL instils a sense of community pride in the players place of origin.

Question agreed to.

**COMMITTEES**

**Rural Affairs and Transport Legislation Committee**

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

That the time for the presentation of the report of the Rural Affairs and Transport Legislation Committee on the Qantas Sale Amendment (Still Call Australia Home) Bill 2011 be extended to 21 November 2011.

Question agreed to.

**Legal and Constitutional Affairs Legislation Committee**

**Reporting Date**

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

That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the Native Title Amendment (Reform) Bill 2011 be extended to 3 November 2011.

Question agreed to.

**Environment and Communications References Committee**

**Reporting Date**

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

That the time for the presentation of the final report of the Environment and Communications References Committee on the status, health and sustainability of the koala population be extended to 21 September 2011.

Question agreed to.

**National Capital and External Territories Committee**

**Meeting**

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

That the Joint Standing Committee on the National Capital and External Territories be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 21 September 2011, from 12.30 pm to 1.45 pm.

Question agreed to.

**National Broadband Network Committee**

**Meeting**

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

That the Joint Standing Committee on the National Broadband Network be authorised to hold a public meeting during the sitting of the
Senate on Tuesday, 20 September 2011, from 6 pm to 9.30 pm.

Question agreed to.

**Environment and Communications References Committee**

**Meeting**

**Senator McEWEN:** At the request of Senator Cameron, I move:

That the Environment and Communications References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 20 September 2011, from 5.30 pm, in relation to its inquiry on the status, health and sustainability of the koala population.

Question agreed to.

**Legal and Constitutional Affairs References Committee**

**Meeting**

**Senator KROGER:** At the request of Senator Humphries, I move:

That the Legal and Constitutional Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 September 2011, from 4 pm to 5 pm, to take evidence for the committee's inquiry into international child abduction to and from Australia.

Question agreed to.

**Rural Affairs and Transport References Committee**

**Meeting**

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

That the Rural Affairs and Transport References Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 20 September 2011, from 4.30 pm, to take evidence for the committee's inquiry into the live export trade, together with the Live Animal Export (Slaughter) Prohibition Bill 2011 [No. 2] and the Live Animal Export Restriction and Prohibition Bill 2011 [No. 2].

Question agreed to.

**Clean Energy Future Legislation Committee**

**Meeting**

**Senator MILNE:** I move:

That the Joint Select Committee on Australia's Clean Energy Future Legislation be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 21 September 2011, from 9.30 am to noon.

Question agreed to.

**MOTIONS**

**Microbreweries**

**Senator MILNE** (Tasmania—Deputy Leader of the Australian Greens) (15:40): I move:

That the Senate—

(a) notes that:

(i) microbreweries are important niche businesses in Australia, providing valuable job opportunities and economic growth, particularly in rural and regional areas,

(ii) microbreweries need recognition within the tax system through the Microbrewery Refund, given that they are competing in a domestic market heavily dominated by large multinational companies,

(iii) the Microbrewery Refund was introduced in 2000 and that the definition of a
microbrewery has not been reviewed and is now markedly out of step with industry reality; and

(iv) the maximum excise refund has remained capped at $10,000, while the beer excise has been raised twice a year for the past 11 years with the consumer price index; and

(b) calls on the Government to amend:

(i) the definition of a microbrewery under regulation 2AB of the Excise Regulations 1925, so that a microbrewery is defined as a brewery that produces up to 300,000 litres of beer annually, replacing the current maximum volume of 30,000 litres, and

(ii) paragraph 50(1)(zzd) of the Excise Regulations 1925 to remove the maximum of $10,000 excise refund that can be claimed in a financial year.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (15:43): I seek leave to make a two-minute statement on this notice of motion.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator ABETZ: I thank the Senate. The opposition will oppose this notice of motion but not because it does not have sympathy for the current pressures on microbreweries in Australia and particularly in our home state of Tasmania, Mr Deputy President. In May 2007 the then coalition Assistant Treasurer, Peter Dutton, announced that from 1 January 2008 the coalition government would allow small business with deferred settlement provisions to settle their excise obligations on a monthly cycle. This would benefit the cash flows of microbreweries and would have had no impact on Commonwealth revenue, a genuine win-win.

I have made representations to the Treasurer and the shadow Treasurer about modifying the existing rebate structure and the extension of the commission periods for settling excise obligations. Unfortunately, over four years after this proposal was first announced, I was told last month that the current government is releasing its exposure draft soon. The coalition will be examining the situation with regard to microbreweries in the context of its policy development in the lead-up to the next election. In March this year I visited the Two Metre Tall microbrewery in the Derwent Valley to see first-hand the challenges being faced by small craft breweries. A particular concern is that the excise obligations of microbreweries rise with the CPI while the microbrewery excise refund is not keeping up with this increase. There have been 21 CPI increases since the $10,000 cap was set in 2000. One suggestion would be to allow microbreweries to produce up to 150,000 litres annually and to increase the excise refund to a level equivalent to the wine industry. In this connection I note that Senator Milne's motion suggests microbreweries should be allowed to produce up to 300,000 litres annually and remove the maximum excise refund altogether.

It is worth considering that levelling the playing field for microbreweries will add to the turnover and generate more excise.

The DEPUTY PRESIDENT: Order! Your time has expired, Senator Abetz.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (15:45): I seek leave to continue my remarks.

Leave granted.

Senator ABETZ: I am indebted to the Senate. It is worth considering that levelling the playing field for microbreweries will add to their turnover and generate more excise for the government, whereas the existing regime is suppressing their profitability and their excise contribution.

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (15:45): by leave—I note what Senator Abetz has just said, but he does not actually explain why the coalition is going to oppose this. Rather,
he has made the case for why the coalition should in fact be supporting it, since he is agreeing that the current situation curtails the development of microbreweries.

The consultation that I have had with the microbreweries, in particular the Two Metre Tall brewery, was with regard to what level one should set for a microbrewery. I can inform the Senate that the Two Metre Tall brewery did consult widely with other microbreweries to establish what would be a reasonable level—30,000 litres is way too small to get a critical mass to run a business. We are trying to increase the downstreaming on-farm to rural and regional areas of Australia. In the Tasmanian context we have approximately seven microbreweries. They have added to the jobs in rural and regional Tasmania, they have added to the food culture, they bring tourists to the area and they sustain locals.

This a change that needs to happen because of the gross inequity between microbreweries and small wineries. It is why microbreweries are having to go into some cider production, because they then come under the wine regulations and not under microbreweries. So I urge the coalition to think again. This is a balance-of-power parliament. We do have the opportunity to bring real pressure to bear on this issue and I urge the coalition to support the motion.

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

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

Ayes.....................9
N oes..........................31
Majority......................22

AYES

Waters, LJ  AYES
Hanson-Young, SC
Xenophon, N
Milne, C
Rhiannon, L
Siewert, R (teller)

NOES

Birmingham, SJ  NOES
Bishop, TM
Bushby, DC  Cameron, DN
Colbeck, R  Collins, JMA
Cormann, M  Crossin, P
Edwards, S  Farrell, D
Faulkner, J  Fawcett, DJ
Feeney, D  Fifield, MP
Furner, ML  Gallagher, AM
Kroger, H (teller)  Ludwig, JW
Lundy, KA  Madigan, JJ
Marshall, GM  McEwen, A
McKenzie, B  Moore, CM
Parry, S  Polley, H
Pratt, LC  Ronaldson, M
Singh, LM  Sterle, G
Thistlethwaite, M

Question negatived.

DOCUMENTS

Apple Imports

Order for the Production of Documents

Senator COLBECK (Tasmania) (15:54): I move:

(1) That the Senate orders the Government to:

(a) make available information regarding the determination of eligibility of New Zealand pack houses and orchards to export apples to Australia, specifically:

(i) supply copies of audit checklists and other audit tools used to determine the eligibility of New Zealand pack houses and orchards to export apples to Australia,

(ii) supply copies of audit reports for all New Zealand pack houses and orchards registered and licensed to export apples to Australia,

(iii) provide details of the qualifications, skills, technical expertise and other selection criteria for the Australian Quarantine and Inspection Service (AQIS) auditors and New Zealand third party auditors (IVA auditors) involved in establishing and verifying the eligibility of New Zealand pack houses and
orchards to export apples to Australia,

(iv) provide details of any consideration given to using the Joint Accreditation System of Australia and New Zealand [JAS-ANZ] to audit and accredit the IVA auditors and processes and AQIS auditors and processes,

(v) describe the product identification and traceability processes used in each of the pack houses registered for export of apples to Australia, including how apples can be conclusively traced back to particular orchards,

(vi) provide details of any product reconciliation that is undertaken to verify the origin of apples from particular blocks and orchards,

(vii) provide details of all product recall and/or product withdrawal procedures for pack houses and orchards registered for export of apples to Australia,

(viii) provide details of the testing and verification of product recall and/or product withdrawal procedures, including details of when these procedures were last tested and the outcome of that test, for pack houses and orchards registered for export of apples to Australia,

(ix) provide details of all compulsory inspections undertaken in orchards and pack houses by orchard/pack house staff and by IVA/AQIS inspectors and auditors for pack houses and orchards registered or wishing to become registered for export of apples to Australia,

(x) provide copies of internal inspection records for all inspections undertaken on consignments of apples that were subsequently rejected from the export program,

(xi) detail the specific procedures for dealing with rejected consignments of New Zealand apples when the rejection takes place:

(A) in New Zealand, and

(B) once apples have arrived in Australia,

(xii) outline the specific consequences for pack houses once there has been a rejection of export apples, including steps and processes involved in re-entering the export market; and

(b) define what constitutes a 'significant outbreak' of fire blight.

(2) That this information be available by Thursday, 6 October 2011, to allow its consideration before a Coalition delegation travels to New Zealand to investigate biosecurity and verification processes associated with the export of apples to Australia.

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:54): I seek leave to make a short statement.

**The DEPUTY PRESIDENT:** Leave is granted for two minutes.

**Senator LUDWIG:** The Biosecurity Australia review of the conditions of the import of apples from New Zealand is one of the most scrutinised documents released by Biosecurity Australia in recent times. Industry and science had the chance to comment on the review during the consultative period and they subsequently have not raised any issues of substance to date. The government are always happy to try to meet the expectations of the opposition in providing relevant documents. In this instance, the time frame is very narrow and it is unlikely that we will be able to provide and divert resources to that task in the short period of time. On that basis, the government will oppose the motion. If the opposition wish to stick to the particular date of 6 October, I think they are only playing politics with the issue.

**Senator COLBECK** (Tasmania) (15:56): I seek leave to make a short statement.

**The DEPUTY PRESIDENT:** Leave is granted for two minutes.

**Senator COLBECK:** I acknowledge the comments of the minister. The reason that the opposition have gone down this track is that at a private briefing that the government was good enough to provide our backbench committee a commitment was given to provide additional information which had been requested at the meeting. We were
subsequently told that that information would not be made available to us. So this is the only avenue available for us to gather the information that we seek. The request to provide the information was initially made some time ago to the minister's office, I might add. The reason for the date is that a delegation of coalition members is going to New Zealand to look at the issues relating to the importation of apples from New Zealand and it would be of great assistance if this data were available for that visit. That is the basis for the date in this order for the production of documents. Had the information been freely given to us, as promised at the initial briefing, we would not be in this situation today.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:58): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator LUDWIG: I was not at the initial briefing that Senator Colbeck refers to. I am not sure of the facts. But I will certainly make sure that the facts are on the table, because I am not going to take Senator Colbeck's view of certain circumstances. However, providing the information on 6 October as requested is a significant resource requirement and I am not going to divert the department's resources to meet that date. On that basis, the government continue to oppose the motion.

Question agreed to.

MOTIONS
Gunn Ltd

Senator COLBECK (Tasmania) (15:59): I move:

That the Senate calls on the Government to ensure that:
(a) Commonwealth funds are not used to resolve the commercial dispute between Gunns and Forestry Tasmania; and
(b) assistance to forest contractors is not reduced.

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (15:59): I seek leave to amend the motion in the terms circulated in the chamber.

Leave not granted.

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

The Senate divided. [16:04]

Ayes ...................... 29
Noes ...................... 32
Majority ................ 3

AYES
Abetz, E
Back, CJ
Birmingham, SJ
Bushby, DC
Colbeck, R
Edwards, S
Ferravanti-Wells, C
Heffernan, W
Johnston, D
Kroger, H (teller)
Madigan, J
McKenzie, B
Parry, S
Ryan, SM
Williams, JR

NOES
Arbib, MV
Bilyk, CL
Bishop, TM
Brown, CL
Cameron, DN
Collins, JMA
Conroy, SM
Crossin, P
Di Natale, R
Farrell, D
Faulkner, J
Furner, ML
Gallacher, AM
Hanson-Young, SC
Humphries, G
Joyce, B
Macdonald, ID
Mason, B
Nash, F
Ronaldson, M
Seullion, NG
Senator WONG did not vote, to compensate for the vacancy caused by the resignation of Senator COONAN.

Question negatived.

United States Economy

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (16:07): At the request of Senator Bob Brown, I move:

That the Senate supports moves by the President of the United States of America, Barack Obama, to close tax loopholes for those earning a million dollars a year, ensuring that millionaires pay a minimum rate of tax that at least matches that of middle-class families.

Question agreed to.

Senator CORMANN (Western Australia) (16:07): I seek leave to make a very brief statement.

The PRESIDENT: Leave is granted for two minutes.

Senator CORMANN: The opposition has opposed this motion. We think we have enough work in the Australian parliament dealing with all the tax initiatives of the Labor government without concerning ourselves with domestic policy arrangements in the United States of America.

MATTERS OF PUBLIC IMPORTANCE

Carbon Pricing

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

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

The impact of the Gillard Government's proposed carbon tax on the Australian tourism industry.

Is the proposal supported?

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

Senator RONALDSON (Victoria) (16:09): Mr President, I apologise to you for moving while you were on your feet, but you will understand that we needed to get across to this side of the chamber after the division. On behalf of myself and my colleagues, my apologies.

Mr Deputy President, I am pleased to see you in the chair now. I will read the following, and then I will ask the question of who might have said it:

The Australian tourism industry is built on thousands of small and medium sized business who operate on tiny profit margins and they are already feeling the impacts of the high dollar and a dwindling domestic tourism market.

The impact of a price on carbon is yet another hit to these businesses – delivering a ‘triple whammy’ – and forcing them to question their ongoing viability.

If these businesses go down, they take with them the jobs and livelihoods of tens of thousands of individuals and communities, particularly in regional areas, who rely on the tourism economy.

Now, who said that? Was it the shadow minister for tourism? Was it the Leader of the Opposition? Was it the shadow Treasurer? Was it the shadow industry minister? No, it was not. It was the
Australian Tourism Export Council, a representative group of tourism in this country. I repeat:
If these businesses go down, they take with them the jobs and livelihoods of tens of thousands of individuals and communities, particularly in regional areas, who rely on the tourism economy.
So we have a 'triple whammy' in relation to the tourism industry. If you look further at what has been said by other peak bodies, you will see again just how dramatic this is. I refer, of course, to the Tourism and Transport Forum, which has just done a survey to which 78 per cent of respondents believed that a carbon tax will have a medium to high impact on their business.
It was very interesting that during question time, in an answer to a question from a senator—although I cannot remember who it was—Senator Carr talked about the impact of the high dollar on the manufacturing sector. There was no word, of course, about the tourism industry. Indeed, there is no word at all from the government in relation to the effect of the carbon tax on the tourism sector. The tourism sector receives no compensation, yet it is a multibillion-dollar industry for this country.
Blind Freddy knows the enormous pressure the tourism industry is under, and Blind Freddy knows that the last thing that industry needs for its survival is a toxic carbon tax. The ridiculous formulation of this tax means that to fly from Melbourne to Cairns will cost an Australian family an extra $50. But if they go from Melbourne to Bali, there will be no carbon tax at all. So this is an anti-tourism tax—an anti-Australian tourism tax. It is an anti-tourism-job tax. And for what reason?

It is clear that this government is simply not listening to the Australian people and not listening to people in the tourism sector. But it is very, very interesting that this was not always so. In 2007, the Minister for Tourism, Martin Ferguson, said that a $40 per tonne carbon tax would have us kill the aviation industry. Well, it is not going to be too long before it is at $40. We know the modelling has been done on $20 when it was actually $23. We know it will be at $50 within a decade. So the government itself, through its own tourism minister, has admitted that a carbon tax will kill the aviation industry. If you kill the aviation industry you kill the tourism industry; you kill it stone dead.

The Australian Tourism Export Council's press release of 25 July—the same one I referred to in relation to the 'triple whammy'—reported that they had BDO do an inquiry to look at this carbon tax. BDO's Head of Sustainability, Dylan Byrne, said:
There is an urban myth that the tourism industry will only feel a slight impact from the introduction of a carbon price, but the reality is some of the proposals will have major direct and indirect impacts on the costs incurred by tourism operators.
The same firm, in an analysis done by BDO, found that Australian tourism businesses face electricity increases of 30 per cent or more, with a significant impact on operators reliant on diesel or aviation fuel who face a reduction in their fuel tax credit of 18 per cent.

Everyone in this chamber knows that most tourism operators operate on high electricity usage—it is just a given. BDO has found those costs will go up by 30 per cent or more. Everyone in this chamber knows that the tourism market is absolutely price sensitive. I do not think there is another industry in this country that is as price sensitive as the tourism industry. All we are going to do with a carbon tax on the tourism
industry is ensure that we dramatically increase the number of outgoing tourists and dramatically reduce the influx of inbound tourists. It will be outbound up and inbound down. The greatest impact of that will be on the internal tourism sector.

The figures of the impacts on and the nature and scope of the contribution of tourism to this country are quite remarkable. The inbound tourism industry produces $23 billion of export income for Australia, but it is the domestic tourism industry that creates the most economic activity, with domestic tourism consumption valued at $71 billion per annum. The Tourism and Transport Forum has warned Labor that 'outbound tourism is expected to grow significantly due to the carbon tax'.

The steel industry has received compensation from this government. Given the fact that this government knows about the impact of a toxic carbon tax on the tourism industry, why aren't they receiving compensation as well? Every single person in this chamber living outside the metropolitan areas of this country knows full well that the impact of this toxic carbon tax will fall most on regional and rural Australia. There is no doubt about it—that is where the most dramatic impacts will be. Looking around this chamber today, I see a lot of people who live outside metropolitan cities in this country and I have got a question for them: at what stage are you going to stand up for your own people and acknowledge that the impact of this tax will fall heaviest on those people that you represent?

It is all very well having a debate in caucus about Australia's migration policies, as you should, but where are the voices of the regional and rural ALP senators and members in the two chambers? Where are their voices? Why have they rolled over on this toxic carbon tax, which is going to cost their own people hundreds, thousands, tens of thousands of jobs? Why do they not acknowledge the impact? Why don't they stand up for these people and why would they let a great tourism sector—a great industry for this country—die a very painful death?

Senator FURNER (Queensland) (16:19): I rise to contribute to this matter of public importance debate this afternoon. I find it humorous that those opposite go around like Chicken Little saying that the world is going to end if we take action on climate change. They say that our tourism industry is going to be affected, but the truth of the matter is that if we do not take action there will not be an industry in this area.

I represent the beautiful state of Queensland. When I left Brisbane on Sunday—in fact, I had an opportunity to spend a little bit of time down the Gold Coast before I left where it was a beautiful 32 degrees—people were heading to the beaches for what seemed like the start of summer, because that is what people do in the sunshine state. But the impact of climate change is causing sea levels to rise and inaction could mean our golden coastlines, which attract people from all around the world, will be eroded away.

It is stories like these which compel our government to take action. I have been on various committees investigating climate change legislation. We have heard from climate scientists who say that we need to do something. Who are we to argue with those who have the qualifications and who have dedicated their working lives to studying this issue?

In 2009, I was privileged to visit the Reef and Rainforest Research Centre in North Queensland. This centre delivers the Marine and Tropical Science Research Facility under the Commonwealth Environment Research
Facilities program. One of the important tasks of this facility is to research the effect of climate change in North Queensland. The Great Barrier Reef is one of the seven natural wonders of the world, and it is the only living organism visible from space. It follows the Queensland coast from Bundaberg to Cape York and covers more than 350,000 square kilometres. It is home to more than 4,000 mollusc species, 1,500 fish species, dugongs, turtles and whales. It is worth more than $6 billion to our economy and supports more than 50,000 jobs. This is all at risk because those opposite are not prepared to come on board and take action on climate change.

While I was at the MTSRF I was told about a program they had initiated with researchers from the University of Queensland, James Cook University and the Australian Institute of Marine Science to study the genetic basis of common coral species to see how it would be impacted by temperature increases. I was informed that, if the Great Barrier Reef was to survive, temperature increases had to be contained to within two to three degrees. Scientists have predicted that the sea surface temperatures could rise by up to three degrees by 2100. This is why we need to take action. Those opposite say they support free enterprise and the individual. How are they going to support these people when they lose their livelihoods?

In the summers of 1997-98 and 2001-02 more than 50 per cent of the reef was affected by coral bleaching which caused lasting damage in five per cent of the reef. The Department of Climate Change and Energy Efficiency said an increase in sea surface temperature of two degrees could bleach 97 per cent of the reef. They also said:

This is likely to diminish the ability of corals to recover and adapt, seriously threatening the Great Barrier Reef ecosystems.

The Great Barrier Reef Marine Park Authority also stated that:

... waters are predicted to become more acidic with even relatively small increases in ocean acidity decreasing the capacity of corals to build skeletons and therefore create habitat for reef biodiversity in general.

One species which would be severely affected by climate change is the green sea turtle. The MTSRF claimed that rising temperatures will affect the sex ratio of turtles. A study was conducted on the largest green sea turtle population, which is found in the Great Barrier Reef. A former James Cook University PhD student, Dr Mariana Fuentes, who has also written a children's book about sea turtles called Myrtle's Battle Against Climate Change, said:

Sea turtles are particularly vulnerable to climate change, because they have life history traits strongly tied to environmental variables and nest in coastal areas vulnerable to sea level rise and cyclonic activities.

Dr Fuentes has indicated that the temperature of sand affects the sex of baby turtles, and warmer temperatures mean more females. Her research said that the sex ratio of this population would skew towards females by 2070 and nesting areas may be inundated by rising sea levels. This information is alarming and concerning and is exactly why we need to do something about climate change.

But our tourism industry and our fauna are not alone when it comes to the impact of climate change. Humans are no exception. It has been predicted by the Department of Climate Change and Energy Efficiency that we could see the number of days with temperatures of 35 degrees or higher in Brisbane increase from one day a year to 21 days a year by 2100.
Senator Ian Macdonald: Ha! Thirty-five degrees!

Senator FURNER: We would see more heat related deaths and higher temperatures could lead to the spread of tropical diseases, including dengue fever. The potential loss of infrastructure is another reason why we need to take action. Many Queenslanders live along the beautiful coastlines, but they will be at risk from rising sea levels. The department states that a sea level rise of 1.1 metres would have an enormous impact on Queensland infrastructure, with 48,000 to 67,000 residential buildings, 4,700 kilometres of roads, 5,700 kilometres of railway lines and 1,440 commercial buildings at risk, at a cost of more than $30 billion.

All of these reasons are exactly why we need to implement our clean energy future package to ensure any future damage is prevented. Our package will ensure that those who emit a high level of carbon pollution will pay a price. By putting a price on carbon we provide an incentive for clean energy investments and we will see high-polluting industries move to cleaner practices which will therefore reduce our nation's carbon emissions. Many industries will be compensated through our package to ensure that our move to a cleaner economy is not a burden. This includes our Jobs and Competitiveness Program, our Clean Technology Food and Foundries Investment Program and the Clean Technology Investment Program.

Mr Tony Abbott has been going around the country with his scare campaign, telling everyone the cost of living is going to increase significantly. He has gone into butcher shops to wrangle a sausage or whatever he does—where they will accept him. Some shops have declined to have him in the shop. He has gone into car yards. He has gone anywhere that will open the doors and listen to the absolute nonsense that he preaches to those poor individuals, who no doubt do not invite him back again once they hear his terrible rhetoric on climate change.

According to Treasury modelling on the cost of living, there will be a 0.7 per cent increase in the overall consumer price index. Let's not forget about the assistance the government will be providing to householders. Nine out of ten households will receive assistance either through tax cuts or payment increases. Nearly six million Australian households will receive assistance that is more than what the price impacts are, and four million households will receive 120 per cent of the price impact to make sure they have room to move. We will be increasing the tax-free threshold, which means more than a million people will not have to lodge a tax return at all.

Yesterday the coalition said that putting a price on carbon would affect community groups and not-for-profit organisations. Today they say it is the tourism industry. Under the coalition's direct action policy everyone would be affected. Householders would be worse off under Mr Tony Abbott's plan. They would have to fork out $1,300 per household each year to fund a policy which will not work. We know it will not work. We know that the problems with this direct action plan will mean that there will be a need to plant enough trees to cover the state of Tasmania five times—your state, Deputy President. That is the equivalent of planting enough trees to cover a land mass the size of Victoria and Tasmania together. It would be a mammoth task on its own to try and achieve that sort of outcome and it is a task that will not be achieved.

The independent Grattan Institute has estimated that there will be a $100 billion black hole in his costings as a result of this
direct action policy. That is a third of the entire federal budget as a cost on its own. Treasury estimates that without international permits it will cost $30 billion in today's dollars in 2020. As I indicated earlier, taxpayers will have to pay $1,300 per household. So the coalition really needs to stop this negativity and scare campaign and work with the government to reach a solution to ensure that our children and their children are able to enjoy the future as we as parents enjoy this current climate and the situation at hand.

Senator IAN MACDONALD (Queensland) (16:29): Senator Furner from the Australian Labor Party accuses the coalition and our leader, Tony Abbott, of running scare campaigns, and yet listen to what Senator Furner has just said, the absolute rubbish that just came out of his mouth. He says that, unless we do something, the temperature in Brisbane is going to increase by 35 per cent. Did you say that, Senator Furner? I cannot believe you said it. I questioned you when you said it—35 per cent? He also said the tidal levels are going to rise. I remind Senator Furner that Professor Flannery, the Labor Party appointed guru on the Climate Commission, has been warning about tidal increases but has bought what is no doubt a cheap house on the banks of the Hawkesbury River. It shows how worried Professor Flannery is about tidal increases if he buys houses in areas he has been warning other people to get out of.

According to Senator Furner, if we do not do something, everyone who works on the Barrier Reef will lose their job. The tourism industry will dissipate if we do not impose a carbon tax on every Australian—talk about scare campaigns! In one short 10-minute speech, Senator Furner has taken the Labor Party's misrepresentations to the highest degree. Fortunately, everyone knows that Senator Furner is part of a party that is led by a Prime Minister who cannot tell the truth. I remind everyone who might be listing that it is only a year ago that Ms Gillard, the leader of the Australian Labor Party, then only recently the Prime Minister of Australia, promised every Australian: 'There will be no carbon tax under the government I lead.' Obviously, a year ago, Ms Gillard did not agree with Senator Furner. She did not think that Brisbane's climate would increase by 35 per cent, she did not agree with Professor Flannery that tidal increases would wipe out everyone on the banks of the Hawkesbury River, she did not believe that everyone working on the Barrier Reef would lose their job and she did not believe that the tourist industry would disappear, because she promised Australians she was not going to introduce a carbon tax. Ms Gillard herself, a year ago, did not believe anything Senator Furner just said. I have to say, with some regret, to all of my colleagues from the Australian Labor Party opposite that their leader has got them into the position where nothing they say these days can be believed. Everyone remembers when they believed Ms Gillard; she ditched her promise and now nobody will take any notice of them.

The matter of public importance before us is the impact of the carbon tax on the tourism industry. I am proud to come from and live in Northern Australia. As well as having great potential to produce food for a world seeking new sources of food, Northern Australia has some of the most magnificent natural resources. We have the Ningaloo Reef, we have Broome, we have the Kimberley coast, we have Darwin and Kakadu, we have Cape York and the Torres Strait islands, we have the Barrier Reef and we have the rainforests behind Cairns. It is a magnificent area, but it has always been hot. When tourists go up north and visit these magnificent natural attractions, what is the
first thing they do when they go into their hotel? They turn on the air conditioner and then they turn on the telly—and the hotel where they are staying has to pay the electricity. It pays for the electricity by charging the customer an appropriate price. Under the carbon tax, electricity prices are going to increase across the board by somewhere between 15 and 20 per cent. I can assure you that up in those remote places, where very often electricity comes from diesel fuel, they will go up by more than that, because the carbon tax will put an increased tax on diesel. So the prices charged by the hoteliers will have to go up to pay for the extra cost of electricity. That of course means that people from the south of Australia will not be coming up to the north, because they will not be able to afford it. What they will do is go overseas to places that do not have an increase in their electricity price or in their hotel prices, because they do not have a carbon tax. The carbon tax is the biggest tax of its type anywhere in the world, and it is being imposed by the lady who promised a year ago: 'There will be no carbon tax under the government I lead.'

The other impact of this carbon tax is that, if you are Melburnian or a Sydneysider travelling up to Cairns, Darwin or Broome, you go by plane. Under the carbon tax you will have to pay an extra $50 on your ticket to get there. But if you go overseas, because there is no carbon tax on foreign airlines, no carbon tax if you fly to London, Hawaii, Japan or Africa, you do not have put up with it. So of course Australians are being encouraged to go overseas, because the carbon tax does not apply there. This tax will cause real difficulties for the tourism industry. Unfortunately, Cairns, midway between the Barrier Reef and the great rainforests, has been in diabolical trouble with unemployment since the Labor government came to power. That unemployment comes principally from the inflexibility that business operators have in arranging their businesses. The flexibility is gone under the Gillard government. This new tax on the Cairns district is going to increase unemployment in Cairns, which will, regrettably, confirm its unwanted reputation as the unemployment capital of the world.

I was distressed to read in the paper, just yesterday, that unemployment has increased in the city of Townsville, where I have my electorate office. It is quite a prosperous and broadly based city up in the tropics. Under the Gillard government, unemployment has skyrocketed there. I heard Senator Carr at question time rabbiting on about all of these new jobs that the Gillard government had created. I do not know where Senator Carr gets his statistics from, but I would ask him to check with the Australian Bureau of Statistics and then confirm to me that unemployment in Townsville, regrettably, is going up. But it will be worse in Townsville in the future, because the carbon tax will put an additional cost on all businesses up there, particularly tourism businesses.

Those who live in the leafy climes of Canberra, Melbourne or Sydney do not realise that air conditioning in the north is not a luxury; it is an essential. For all the tourists going up there, particularly the tourists from the south, air conditioning is essential. But the Gillard-Greens government's carbon tax will simply add to the cost of electricity and add to the cost of the tourism experience. That, I regret to say, will reduce the experience for many tourists and will discourage them from coming up that way.

I turn to Senator Furner's scare campaign about global warming. I should remind Senator Furner that his side does not talk
about global warming anymore. It is climate change, remember, because the science these days is showing that any increase in temperature is minimal, if it is there. I understand the accepted science now is that the temperature over the last decade really has not increased at all. So forget the scare campaigns from the Labor Party. Forget the excuses for breaking promises. This carbon tax will be destructive to all Australians, but it will be particularly destructive to the tourism industry and particularly destructive to the industry in the north. For that, I condemn this government.

Senator THISTLETHWAITE (New South Wales) (16:39): One industry in Australia which does stand to lose from inaction on climate change is our tourism industry. It is an industry which stands to lose income, investment and jobs from inaction on climate change. That is why the Labor Party is seeking to price carbon and reduce emissions—to protect industries which provide vital employment in regional and rural areas in a number of important pockets of our democracy. That is the basis on which we are acting on climate change.

The best way to highlight our action on climate change is to run through a number of facts and how they affect tourism in this country. It is a fact that each decade since the 1940s in Australia has been warmer than the last. The decade 2001 to 2010 was the warmest on record, both here and worldwide. It is a fact that sea surface temperatures across the Great Barrier Reef have increased by 0.4 of a per cent in the past 30 years, increasing atmospheric carbon dioxide and increasing ocean acidity. It is a fact that increasing sea temperatures have led to coral bleaching of the Great Barrier Reef, and the most severe cases of coral bleaching have occurred recently, in 1997 to 1998 and 2001 to 2002. It is a fact that sea surface temperatures are projected to increase further in Australia, by a magnitude of two degrees by 2050, which will lead to further coral bleaching. It is a fact that extreme weather events are beginning to have an effect on beach erosion, with potential damage to property, in a number of coastal areas throughout Australia, most notably to the north of the state that I represent, New South Wales. It is a fact that an overwhelming majority of scientists and economists state that we need to take urgent action on climate change and that, the longer we wait, the greater the cost will be and the more drastic the action we will need to take will be.

It is a fact that Labor's plan to price carbon through a market based mechanism will reduce emissions over time and will be the cheapest policy option available to us as a nation to deal with this pressing environmental and economic issue. That is a fact that all economists agree with—except those opposite. It is also a fact that the Liberal Party's policy of direct action will not reduce emissions. There is no guarantee it will reduce emissions. It will be more costly to Australian taxpayers and it is based on very dubious assumptions, which, I am pleased to say, a number of business groups are beginning to understand and are beginning to highlight. Most notably, a number of business associations are saying that, without access to international permits, the costs on business in Australia of taking action on climate change would be unbearable. Even last week we saw the Farmers Federation come out and say that they do not believe the opposition when they say that they will achieve 85 million tonnes of abatement through soil carbon because their policy and their assumptions are dubious.

These simple facts that I have gone through highlight the hollowness of the opposition's arguments against the government's plan. The opposition ignore the
facts. They ignore the advice of experts. They ignore the urgency of the situation and they have developed an irresponsible and belligerent approach to this issue. It is not characteristic of all of those opposite, I must say. They have had leaders in the past who have seen the light on this issue and who have understood the facts and the urgency of acting on this issue. Malcolm Turnbull certainly did not ignore the facts. Eventually, even John Howard came to the realisation that we needed to take action on climate change and that a market based mechanism was the best manner in which to do it.

Indeed, many of those opposite have stated in the past that they believe a market based mechanism is the best way to approach the issue of climate change. But now they choose to ignore the facts. Why is that? One simple reason: their leader has changed his mind. Tony Abbott, the Leader of the Opposition, has changed his mind on this issue. Why? Because he sees an opportunity to buy votes at the next election. He sees an opportunity to run an irresponsible and cynical scare campaign that he sees will buy them votes at the next election.

The opposition is running a scare campaign, but the facts about climate change are scary. They are particularly scary for the tourism industry. Last year it contributed $34 billion to Australia's national income. Nine per cent of Australia's total exports were from the tourism industry. It employs half a million Australians and is Australia's largest service export provider, with $23 billion worth of service exports in the last financial year. If there is one industry which stands to lose from inaction on climate change it is Australia's tourism industry. That is why we are taking action to protect vulnerable industries such as this. We are taking action because we understand that the health of the tourism industry relies on the health of our natural resources. It relies on the health of fantastic natural resources in Australia, such as the Great Barrier Reef, Ningaloo Reef, Kakadu, the Whitsundays and our magnificent coastline around the Gold Coast. This point is well understood by the Australian tourism industry.

I would like to draw the attention of the Senate to the transcript of the hearing of the Senate Select Committee on the Scrutiny of New Taxes, held in Mackay on 5 August 2011, when Mr O'Reilly, the Chief Executive Officer of Tourism Whitsundays appeared before the committee. He was asked a number of questions about the urgency of the government acting on climate change. When he was asked whether he accepted the scientific evidence that global warming is damaging the Great Barrier Reef and that the government needed to do something about that and take urgent action on climate change, Mr O'Reilly's response was:

Yes, I think the modelling shows that the reef will undoubtedly be impacted by global warming.

He went on to say:

... I have also said previously that our communities up and down the reef are very concerned about protection of the reef. When we have run climate change adaptation workshops in the region, we have had very strong participation from industry and good engagement with the CSIRO and Tourism Queensland in doing that.

The tourism industry in the Whitsundays understands the urgency of taking action on climate change, but again, those opposite seek to ignore the facts.

I draw the Senate's attention to a quote from John Lee, Chief Executive of the Tourism and Transport Forum Australia. In a media release, dated 26 July 2011, he said:

It is vital that Australia's natural assets are conserved to maintain our unique selling proposition and enhance our reputation as an environmentally aware destination.
He went on to talk about the Henbury Conservation Project. He said:
This is a great example of its commitment to Australia and to combatting climate change in cooperation with the federal government.
We hope that this is the first of many similar projects and that other tourism operators see the potential environmental and economic opportunities in this initiative.
I also draw the Senate's attention to the view of Alan Joyce, Chief Executive of Qantas—one of the biggest tourist operators in this country—who, on 14 March 2011, said:
We can understand the logic on the carbon tax and why the government regards it as a necessity we’re convinced that all organisations should do whatever they can to reduce emissions.
It is obvious that the tourism industry understands the urgency of acting quickly. As a father of two young children, I have enjoyed the beauty of our magnificent coastlines. I have dived on the Great Barrier Reef and I have seen the destruction that has occurred because of coral bleaching. I do not want to be seen as not having acted on climate change. (Time expired)

Senator ADAMS (Western Australia—Deputy Opposition Whip in the Senate) (16:49): It gives me great pleasure to rise this afternoon to speak on the impact of the Gillard government's proposed carbon tax on the Australian tourism industry. Coming from Western Australia I acknowledge that tourism is very important to us. An article by Felicia Mariani of the Australian Tourism Export Council states, 'We have a triple whammy for Aussie tourism.' She goes on:
THOUSANDS of small and medium businesses who make up the Australian tourism industry are facing three significant impacts on their bottom line—the high Australian dollar, declining domestic tourism and the carbon price impact.
That is her concern. She further talks about an industry being left high and dry. The bottom line is that the government has left the tourism industry high and dry, providing little or no direct support or capacity for businesses to transition to a low-carbon economy, providing no compensation for the tour operators who will be hit hard by increased fuel costs.

Once again, we in Western Australia are very reliant upon helicopters and aircraft for our tourism industry. Also, a number of four-wheel drives rely on diesel. If you are in the tourism business, with a helicopter or an aircraft, your fuel excise costs will increase more than 150 per cent. That will clearly force up the price for customers and will affect your ability to be competitive in the market. This is a huge problem in areas such as Western Australia, Queensland, the Northern Territory and, I guess, South Australia. It will impact everywhere. As far as regional airlines are concerned—which, once again, we rely upon very heavily in Western Australia—the tourism operators with light aircraft will be facing a 157 per cent increase in fuel tax over the next three years. The current tax on aviation fuel is 3.55c per litre. This will increase to 10.16c per litre by 2014-15. These are the sorts of things that will happen. Getting the diesel rebate, there will be an 18 per cent reduction in fuel tax credits. So tourism is one of the forgotten industries that will bear the brunt of this carbon tax, with marine and remote tourism operators facing the full force of the increases.

Going on with the figures, the tourism industry contributes a lot to Australia: $34 billion or 2.6 per cent of Australia's GDP. It directly employs, as we have heard, more than half a million people nationwide. But it is not equally recognised alongside other export industries. We have had some comments about Queensland. I will quote an article about the Queensland Tourism Industry Council:
Queensland has become the first state to speak out against the Federal Government’s proposed carbon tax, with the state’s peak tourism body saying it fears the levy will hurt an already struggling industry. Queensland Tourism Industry Council (QTIC) chief executive Daniel Gschwind points out that Queensland is still trying to recover from a spate of natural disasters. They want to attract tourists back to their beautiful area.

He says that while it’s not yet possible to put a bottom-line figure on the carbon tax, the effect will be negative as its impact on energy costs will force up the cost of doing business. This will hurt tourism businesses already struggling against the high Australian dollar.

I have a note here from a friend in Albany who has just returned from Hamilton Island saying that they could not believe that when they were staying there last week only half the accommodation was full and there were no overseas tourists. They felt that this was very bad.

Having just been up to Broome for a Senate inquiry on the live export industry, I spoke to a number of tourism operators and local taxi drivers. The difference in Broome now that the height of the season is over is that they have about a third of the people that they normally have booked in. That is going to be very difficult to cope with. My colleague Senator Macdonald spoke about the high cost of energy and the use of air conditioners in those northern areas. It is something that you have to use; you cannot go without it. Consequently, the hotels are struggling to get people to come and work for them and also struggling with the prices that they have to pay.

For Western Australia, which is so close to Bali, the low cost for travel to Bali without having any carbon tax apply to the airfares—unlike the cost to go to Melbourne, Sydney, the Northern Territory or Cairns, which were quite popular destinations for Western Australians—means that Bali is attracting three-quarters of the people heading to holiday destinations. It is so much cheaper to go there. The carbon tax is certainly going to have a huge impact on that particular industry.

My colleague Mrs Nola Marino, the member of parliament for the seat of Forrest down in the south-west of Western Australia, is very concerned about the Margaret River and the Busselton-Bunbury area, because they were attracting a number of people from the eastern states straight into their district but unfortunately they have had quite a large downturn as well. Those tourism operators in the south-west are battling to manage to keep their staff. Once this carbon tax comes in it is going to be even worse. We are very concerned in Western Australia about the tourism dollar. Albany is another tourist destination that is definitely seeing a downturn at the present time. People are choosing to go up to Bali rather than come down to an area in their own state. It is very disappointing that the tourism industry is being completely and utterly isolated on this particular issue.

I would like to say something about Victoria. Senator Kroger has just joined me, so I will mention the Victorian tourism industry. I have a comment here from Victorian Tourism Industry Council Chief Executive Todd Blake. He said that the federal government's planned carbon tax has the potential to devastate Victoria's tourism industry, a sector already struggling with recovery from natural disasters and a high Aussie dollar. He has also said that a price on carbon would not only significantly increase the cost of doing business for operators but also impact on visitor numbers. This weekend, with Western Australians travelling over to Melbourne, it will not be quite so bad. But later on it will not be good. He also said that while the federal
government is telling taxpayers that they will be compensated, disappointingly most Victorian tourism operators, being smaller enterprises, will not be eligible for compensation under the proposed arrangements. This will have a huge effect on Victoria’s tourism industry, which is worth $15.8 billion to the state’s economy and employs around 184,800 Victorians. The planned carbon tax will potentially have a significant impact and the tourist industry organisation is calling on the federal government to outline how it intends to counteract that.

I want to finish with the comment that the government is saying that the tourism industry is making misleading and alarmist claims. A spokeswoman for the federal Minister for Climate Change and Energy Efficiency, Greg Combet, denied that there would be significant job losses, saying that the impact on the industry will be manageable. I will certainly be watching very carefully to see just how manageable this is, how many tourist operators go under and how many people in the tourism industry lose their jobs. It is a case of ‘watch this space’. I will certainly be watching what Minister Combet does to make the impact on the industry manageable.

Senator SINGH (Tasmania) (16:59): Once again we have the opportunity—thanks to those opposite bringing this MPI topic on today, as they continue to do day after day—for the government to highlight yet again the positive aspects of the clean energy package that we bring to this parliament for the betterment of all people in Australia. Today, government senators are able to particularly highlight the positive aspects of our clean energy package for the tourism industry. I cannot think of another industry as poignantly positioned to benefit right now from having a clean energy future in this nation as tourism, because we know that those in the tourism sector—often small business; some larger businesses—highlight very much their brand, and their brand is all linked to the natural beauty of the environment, which they are trying to sell. In Tasmania I can name a number of operators that fit that very mould.

We have to go back for a second and recognise why we are doing this. We are doing this because the science is clear. We have been made very aware by scientists from the CSIRO and various other institutes of great reputation that we have to do something to act on climate change. We know the impacts that will occur in some of our iconic tourism locations in Australia such as the Great Barrier Reef, the Whitsundays and the Daintree, but I want to share with the senators in the chamber today the impact of the outcome of climate change on Tasmania.

Tasmania is an island state. It is surrounded by water, and those sea level rise issues will have an impact in our state. But of course we in Tasmania are not being idle but are acting on that already. A great example of local tourism operators in Tasmania being proactive is from the Green Tourism program, formerly known as the Green TEA program. It is a federally funded program that was announced in 2008 by the Minister for Tourism, Martin Ferguson, and local member Julie Collins. Forty tourism operators received support to evaluate and implement environmental best practice in Tasmania. That means things like recording and reducing energy use, water use and waste.

Many Tasmanian businesses—many tourism businesses especially but also agriculture and niche exports—rely very much on the beautiful and unique natural environment of Tasmania, something we have an abundance of and are very proud of as Tasmanians. But those Tasmanian
businesses know very much that some of the biggest drawcards for modern tourism are to stay in accommodation and engage in activities that respect the environment. That is why we have a number of tourism operators in Tasmania that have moved into that ecotourism space. And that is why Green Tourism participants and the participation, accreditation and promotion process that participants went through were so successful. They understand that reducing their carbon footprint is not just good business sense in terms of attracting customers; it is also serious corporate social and environmental responsibility, something they take seriously as part of their brand. This clean energy package fits very tightly with that brand. In fact, in 2009, Green Tourism participants saved the equivalent greenhouse gas emissions of taking 24 cars off the road for one year.

Even before a carbon price, energy efficiency, reducing the carbon footprint of businesses, has always been, for those businesses, about saving money and making businesses run better. Small businesses especially understand the benefits of reducing waste and increasing the return from enterprises that inevitably have some environmental impact. Some businesses have not had the training and skills to improve their environmental practice, and that is why the government's clean energy package is designed to give some incentive to the bigger polluters to do what small tourism operators know and do so well—in the south of Tasmania, at least—and that is cleaning up their operations in the way that I have just described through the Green Tourism program.

I want to name some of those Tasmanian tourism operators because they are exemplary in the way that they care for the natural beauty of our state. They care for our natural environment and they embrace a clean energy future. Two of those businesses are Tasman Island Cruises and Bruny Island Cruises. They are run by Rob Pennicott. Rob's businesses have consistently been ranked amongst the best and most successful of businesses in Tasmania. He has embraced environmental best practice. It is something he takes very seriously. We have tourists coming from not only all over Australia but all over the world to experience Rob's Bruny Island cruise experience. In fact, according to Green Tourism, performing above best practice by implementing a suite of sustainable actions is exactly what Rob Pennicott's business is all about.

There are accommodation providers like Church Studio Franklin, which recycles, has installed energy efficient globes and double glazing and is operating above its base environmental standard. There are restaurants like Brookfield Vineyard, which has managed to reduce its energy use by 33 per cent this year alone, saving money and supporting the environment.

Tourism in Tasmania will continue to be strong when we have tourism operators who think about their business models, think about their markets and have an innovative approach to running business. As long as we have those kinds of businesses, the small impact of carbon pricing on tourism will pale in comparison with the opportunities that a clean energy, clean tourism future offers them. Businesses understand the economics in this space when we talk about a clean energy future, but businesses also understand the science. That completely differs from those coalition senators in this place who do not understand the science. I ask those coalition senators, especially those Tasmanian coalition senators, to talk to Rob Pennicott, to talk to Brookfield Vineyard, to talk to some of those Tasmanian tourism operators who are already going beyond their environmental duty, so to speak, to lift their
standards to protect their brand in Tasmania, because Tasmania is known—as those senators opposite are very aware—as a state of iconic beauty. That is why people come to Tasmania as tourists. They come to see that natural beauty. They want that natural beauty to always be there and they want to ensure that the experience that they go through when being part of that natural beauty is a quality experience, is an experience where we all respect our natural environment. Those tourism operators get it, they get the science, and senators in this place should have a conversation with someone like Rob Pennicott to actually try to understand where they are coming from, the values they believe in and why they continue to invest into Tasmania in the way that they do.

It is time for the opposition to accept the science. The world is warming. We do need to act now to protect Australia’s iconic tourism drawcards, not just for ourselves, not even just for those tourists, but for all the workers that work in that industry. In Tasmania one of the biggest drawcards for young people into certain part-time work, casual work, work experience and the like is actually in the tourism industry. It employs a number of young people. It is our young people that this is all about, isn’t it, Senator Bushby? It is about our children, isn’t it? Clean energy future is about our children, about our young people. That is why government senators on this side of the House believe in a clean energy future and believe in acting on climate change—so that our young people and the generations to come will enjoy the beauty that Tasmania and the rest of Australia has to offer by having a pollution free environment and an environment that protects its natural resources.

The ACTING DEPUTY PRESIDENT (Senator Cameron): The time for the discussion has expired.

DOCUMENTS

Tabling

The ACTING DEPUTY PRESIDENT (Senator Cameron): On behalf of the President, I present a report on access to documents of the Standing Committee on Foreign Affairs and Trade, 1975.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Cameron): The President has received letters from a party leader seeking variations to the membership of committees.

Senator FEENEY: I move:

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

Economics References Committee—

Appointed—

Substitute member: Senator Colbeck to replace Senator Williams for the committee’s inquiry into the impacts of supermarket price decisions on the dairy industry on 6 October 2011

Participating member: Senator Williams

Public Works—Joint Statutory Committee—

Appointed—Senator Boyce.

Question agreed to.

BILLS

National Health Reform Amendment (National Health Performance Authority) Bill 2011

Returned from the House of Representatives

Message received from the House of Representatives agreeing to the amendments made by the Senate to the bill.
Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010
Second Reading
Debate resumed on the motion:
That this bill be now read a second time.

Senator KROGER (Victoria—Chief Opposition Whip in the Senate) (17:11): I am pleased to resume my remarks and express my concern about what is nothing but a tax on students. In fact, we should be calling it a student tax. What about those students who are studying off-campus or study online at significant distances from university campuses? What about those students who will not use services such as child care or counselling? Why should they have to subsidise these services for other people whilst not seeing a red cent of value for themselves? This is a new tax on students and it is forcing people to subsidise services that they do not want or need or choose to use.

The principal point in this debate must be the concerns and interests of the students themselves. There is nothing in the legislation to stop the compulsorily acquired money being channelled into any Labor student club or to fund the legal defence of violent student protestors like those charged in Melbourne during the G20 talks in 2006. In fact, there is no system for monitoring if the money was spent in accordance with any guidelines. It is naïve, to say the least, that the fee would not be used for political purposes, contrary to the advice we have received from those on the opposite side of the chamber. The only activities expressly prohibited are direct donations to political parties and funding for elections, whether they be Commonwealth, state or territory bodies. But this, as we know, still leaves a large and diverse range of political activities, and I will mention some of them. There are political campaigns, political causes, whether the students agree with the money being spent or not. I am reminded of those members of the HSU who had their money spent in ways which they had not formally approved. Where is the accountability for the proposed quasi-political organisations who will be given millions of dollars of students' money?

In truth, there is no realistic chance of accountability, there is no sanction mechanism and there is no power for the university to enforce appropriate spending. The only certain thing is that the money at best will be misspent and at worst rorted.

Sadly, it is a possibility that ordinary students could subsidise the political careers of elite student activists. How do we know that this could be the case? We only have to look at history and see that this has happened before. Prime Minister Gillard, a former education minister, had a significant position in the leftist National Union of Students, a union that no doubt helped to launch her political career.

I seriously question if student unions actually represent the views of the majority of students, and those on the campuses around the states will attest to that. I know that this is not the case. They did not represent me when I was at university, they did not represent my friends when they were at university and they certainly do not represent my two sons, who today attend different universities.

I do not want to trivialise this issue, but I have to say that this unjust proposal reminds me of the 1990s Australian comedy film The Castle. In that movie the debate concerned the compulsory acquisition of land. Our debate today concerns the compulsory acquisition of students' money. Whilst I am not suggesting that the coalition's case is based on a vibe, I would suggest that our
case is based on an innate sense of justice that guides all coalition policy.

Senator Feeney interjecting—

Senator KROGER: Cynical people, Senator Feeney, may say: 'Why do we fight this cause? What is the political advantage in fighting and standing up for the rights of students?' To those cynics—and I would not suggest that of you, Senator Feeney and Senator Sterle—I say that the Liberal Party is the party of principle. We have no hesitation in advocating causes that are fundamentally good.

A voluntary student union fee is a good thing. It offers the freedom for students to choose whether or not they want to belong. The coalition is opposed to this legislation because it understands the changing needs of modern students. The reality of these challenging economic times means that a university student does not simply study. More often than not they have part-time work and more often than not they have more than one part-time job; it might be two or three. So it is a matter of balancing and juggling demands for the students. Many students are in a position where they may be financially supporting their family's increasingly tight budget.

Today's students do not have time for nor the interest in engaging with numerous clubs or associations on university campuses. They have to be selective. For them to pay a compulsory tax for activities that they would not benefit from is simply daylight robbery. It is not surprising that this legislation is being so strongly prosecuted and argued against by those on the ground in the universities.

Senator Hanson-Young is on the record as saying, 'University can and should prepare students to be active and engaged citizens.' Senator Hanson-Young, I agree, but how can you achieve this noble pursuit by charging a compulsory tax? I would have thought that an active and engaged citizen—and I am quoting you, Senator—would have the right to choose associations and not be forced to compulsorily comply. This bill belongs in the wastebasket of history. It is a tax on those who need our support and it is an attempt to impose what I can only suggest is the leftist ideology that has been rejected by so many students.

This government seems to have only two principles that guide its public policy determination and formulation. They are: taxes and the influence the union movement has over the agenda of this government, which I have to say is secondary to the Greens, of course.

Students who do not use services should not be forced to subsidise those of other students. Students cannot afford this additional expense. It is just a student tax.

Senator EDWARDS (South Australia) (17:19): I rise to speak on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. This bill is nothing more than an attempt by the Labor Party to roll back a good Howard government policy so that it can curry favour with left-leaning student unions.

We know what happens when the Labor Party, handcuffed to the Greens, attempt to roll back good policy from the Howard era. We see it with their lack of border security and in many other facets of the way in which the Australian public has to live its life.

This issue of student services and amenities fees, also called student union fees, has been before this parliament on many occasions, most recently with a similar bill in 2009, which was defeated in the Senate in August of that year. The second bill lapsed at the end of the 42nd Parliament. My friend and colleague Senator Brett Mason tells me that this has been coming...
backwards and forwards since the 1970s. It is a bit like going back to the future.

The student union fee push is not only driven by leftist activists but is also aided and abetted by like-minded university administrators, who see the great bulk of students as a lucrative source of funding for the services that once upon a time were provided by the universities themselves.

This bill will force students to pay for services they may not want. These are services that some cannot use and many do not want to pay for. We on this side do not believe students should be forced to pay for services that they would not or cannot use.

Senator Feeney: There goes taxation.

Senator EDWARDS: Senator Feeney, we are all about having a fair taxation system, not one that looks back at the past and tries to solve the problems for the future.

Under this bill, Australian students will be forced to pay $250 per year regardless of their ability to pay or their ability or willingness to use the services that these fees will be financing. Over a standard three-year degree, this equates to $750—a large sum of money for a student, which could be better spent by the students themselves on course materials, textbooks and transport to and from university.

In total, this tax will amount to $250 million. It is essentially a new tax on students, who are already struggling under tough economic conditions, having to pay for textbooks, course materials, transport, food, accommodation and so on. Also lurking in there, if the Labor Party and the Greens have their way, is the carbon tax. So all this while paying for course materials and living off two-minute noodles and cereal. Having to fork out another $250 seems somewhat bizarre. This is another broken promise by the Labor Party, which said before the 2007 election that it would not reintroduce compulsory student fees—another policy backflip. This is just another way for Labor to force up the cost of living for Australians.

University life is no longer what it was back in the seventies. Students no longer have the time, inclination or opportunity to use the services provided. So under the guise of a student amenities fee, all students will be helping to fund student services that only a few may use and some of it will be used to support budding student politicians.

Many students now study part time while working full time and study full time while working part time. Students can also study externally or online. There are many different ways to study. Students today go to university to get a degree to improve their skills and qualifications to improve their job prospects. Students do not have time to lounge around on campus like they had in the past. They have jobs to go to and, for mature-age students, quite often families to look after. I declare an interest here. My wife is studying commerce part time at Adelaide university and works full time. While she is looking after the children and me part time there is not a lot of time to get active in a student union movement. My daughter, also at Adelaide university, is following in her father's footsteps and studying a degree in wine marketing, all this while working part time. They are just not interested in joining a student union.

We have moved on, though Labor appears to be stuck. Students today want choice. They do not want to be forced to pay for services they do not want and did not ask for. They want the choice to spend their hard-earned money as they see fit. Freedom of association, including freedom not to join an association, remains one of the core beliefs of the coalition. We allow workers to exercise freedom in the workforce. You no longer have to belong to a union and, as
such, workforce union participation is down to 18 per cent around Australia. Australians have moved on from compulsion and we should continue to allow Australian students to do so.

We must not forget that for many young students gaining a tertiary education is a delicate balancing act. I know many students who study full time and work long hours in order to support themselves. They work in supermarkets, fast-food restaurants, cafes and service stations. They are working hard to gain a tertiary qualification, something which we have been encouraging young Australians to do for many years. So instead of penalising them we should give them a choice.

There are 130,000 students who study externally. They will never have an opportunity to use the services Labor are going to force them to pay for. And the services that are offered are often better delivered by other businesses. In Adelaide, two of our three biggest university campuses are located in the city. Why would students want to use the services offered at the university when there is such a wide range of choice offered by businesses in the local vicinity? The cafes, shops and eateries offer a greater range of foods which are usually higher quality at lower prices. Who would want to eat some week-old, stale sandwich at the uni cafe when you can get something freshly made just across the road? Similarly, printing services like copying and binding can be done cheaper at other commercial premises and the services look professionally done.

In providing services and amenities, one example in the past has been child care, yet most uni students are young. The main beneficiary of childcare services are older, mature-age students—yet another instance of young students just out of school not benefitting from a service but subsidising it for a minority with more clout on campus.

Let's look at what Adelaide University Union membership currently gets you. There are discounts for eating out—10 per cent off at a flash restaurant that also serves gelati—

Senator Bilyk: What is a flash restaurant?

Senator EDWARDS: It is a gelataria. It is an ice-cream restaurant—hardly essential. The discounts on campus include free beer-service training—no doubt a useful life skill, but is it something students should be forced to subsidise? I do not think so. While students are out and about, they can get 10 per cent off at pet city and 15 per cent off limousine rental, 25 per cent off a tandem skydive and 10 per cent off at a herbal supply shop—hardly essential items. Should we really be forcing all students to subsidise a minority to hire limos and eat at gelatarias?

Senator Feeney: And skydive.

Senator EDWARDS: And skydive! I do not think so. Labor might have a leg to stand on if students actually wanted to pay this $250 fee, but 59 per cent of students voted against compulsory fees in a poll commissioned by the Australian Democrats.

Senator Feeney: The who? I've never heard of them. Are they a party?

Senator EDWARDS: Well, there were 59 per cent of them—and polls, as we know, do have some relevance in this place.

Clearly, the overwhelming majority of Australian students do not want to pay student fees. Why won't the government
listen to the majority of students, who do not want to pay compulsory fees, rather than the vocal minority of Labor and Greens student activists?

In a letter from Jack Batty, the President of Liberals on Campus, Adelaide, I received a message that they too oppose this bill. They, unlike what is being proposed, have voluntary entry. They stand for a principle and look to attract people in the battle of ideas and ideals. That is how they seek their membership. Senator Birmingham has already spoken of this letter, but I think it is important to reiterate it. It is important that the voice of an actual representative student body is heard in the debate in this place. They do not want compulsory unionism. They said:

Liberals on Campus has serious concerns about how this money will be spent. Services provided by student unions are largely superfluous and open to political abuse. This bill provides little by way of enforcement mechanisms to prevent the misuse of our money.

'Superfluous and open to political abuse’—the system proposed in this bill is open to political abuse and lacks real enforcement mechanisms. While the bill prohibits universities or any third parties that might receive money from spending it in support of political parties or political candidates, there is nothing to prevent that money being spent on political campaigns, political causes or quasi-political organisations per se, whether or not students whose money is being spent agree with those causes or purposes. This is what we on this side of the chamber are concerned about.

Even though the bill may prohibit direct support for political parties and candidates, how will this be policed and enforced? Neither the bill nor the guidelines provide any credible enforcement or sanction mechanism. It is all very well for the government to maintain that this bill is about student services and amenities. That is what the title of the bill might state, but its thrust is more about Labor, backed by the Greens, empowering student union power brokers to indulge in their pet political campaigns. Student unions have been a fertile training ground for Labor and the Greens, but at the expense of students who are at university to study for their degrees. The money from their fees should not be diverted to Left frolics that are of no concern to them. If the Lefties want to protest then they should pay for it themselves, not siphon off the money contributed in student fees to finance their activities.

This is desperate legislation from Labor in a sad attempt to restore their flagging fortunes. Like the carbon tax, this student services and amenities bill is another broken pre-election promise by Labor not to do any such thing. The broken promises of the 2010 election ring in this chamber all the time. Either the new paradigm is being used as an excuse to trash Labor's own promises, or the Greens' tail has control of the Labor dog—and the wider electorate can see it wagging to the detriment of good public policy.

Labor has had a long history of grooming its young activists by supporting them to gain key positions in student unions—although in South Australia both the Greens and the Australian Democrats have also used this technique to their own advantage. So many senators, and members in the other place, started their political careers by learning how to do the numbers in a student union before graduating to the trade unions or becoming staffers and then moving on to a federal career. Natasha Stott Despoja, our very own Sarah Hanson-Young in this chamber, and Kate Ellis in the other place are just three student union activists who come to mind as having built their political careers through their student union activities.
The ACTING DEPUTY PRESIDENT (Senator Cameron): Senator Edwards, can I just remind you that you have to refer to senators and members by their proper titles.

Senator EDWARDS: I apologise; I thought I had. I will correct myself: 'Senator Hanson-Young and the member for Adelaide, Kate Ellis'.

What this bill is really about is the Labor-Greens' desire to get their hands on more money from students, under the guise of amenities and services, so as to divert it for other purposes. The extra funds will also assist in grooming the next generation of student leaders, who can see the examples of those who used the same methods before them. Instead of going into services and amenities, the additional money will be very handy in boosting the popularity of the very student leaders who have control of the funding.

In Roman times there were bread and circuses to keep the support of the masses. Two thousand or so years later, the Left has refined this technique to try to fritter away the money grabbed from students, either through campaigns of its own or by measures to ensure the re-election of the leaders themselves. We on this side oppose this nonsense Labor bill.

I thank the Acting Deputy President for guiding me in this speech.

The ACTING DEPUTY PRESIDENT: Thank you, Senator Edwards.

Senator FAWCETT (South Australia) (17:37): I rise to address the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 and to go to the heart of section 19-37, subsection (2), of the Higher Education Support Act 2003. The existing act provides that:

A higher education provider must not require a person enrolled with, or seeking to enrol with, the provider to pay to the provider or any other entity an amount for the provision to students of an amenity, facility or service that is not of an academic nature, unless the person has chosen to use the amenity, facility or service.

The new subsection—subsection (4)—provides an exception to subsection (2) and allows an education provider to require the payment of a student services and amenities fee.

Why are we here debating this today when we have had numerous promises that we would not see the reintroduction of a mandatory fee? I would like to address this bill in three areas: matters of principle, some particulars of the bill and the potential of the students at our universities and what they can achieve despite the actions of government.

First is the principle of personal responsibility. I would like to read you a quote from 16 September this year:

And for a long period of time, our great movement believed that one size should fit all in service provision, that those seeking choice were undermining collective aspirations.

Now we understand that desire for choice is rightly strengthening not abating.

In this age we need to pursue our historic mission while also embracing choice and creating ways to give individuals more control.

Australians want to make their own choices and control their own lives.

Now, who would that be? It sounds like somebody from the conservative side of politics, but no—it was the current Prime Minister, addressing the Chifley Research Centre.

On one hand we have what they say—that Australians want more choice and that we should be giving them more choice and more control of their lives. But it is really important in many debates, both in this place and in the broader Australian community, to not just listen to what is said but to look at what is done. So we are here now debating...
this bill which is about removing choice. With one hand, the Prime Minister stands up and says we want to give people more choice. With the other hand, the government takes away choice.

That brings me to the second principle: integrity. A number of government members of parliament, particularly the then education minister, in May 2007 made very specific statements that the government would not introduce a compulsory amenities fee. That sounds remarkably like 'There will be no carbon tax under a government I lead.' Yet here we are, debating a carbon tax. Here we are debating a compulsory amenity fee. Do not trust what is said; look at what is done.

Another principle is equity—the principle of a fair go. Students at universities now come from a wide range of backgrounds. Some students come from professions and are upskilling. One of the brief interludes I had after leaving the other place was doing some lecturing for the University of South Australia in a course for defence engineers or people in the defence industry who wanted to work in defence. All these people had to find time out of their family and work commitments to come to university so that they could improve their qualifications to work within the defence industry. None of these people had time to actually get involved with the whole range of things that these service fees are supposed to provide for. Yet we are levying that charge on them. How is that fair? How is that equitable? They are working, so the argument could be that they can afford it.

How about country students? We know that for the last couple of years there has been a deal of debate in this place about the impact of changes brought in by the Labor government around youth allowance for country young people. It even got to the point, in 2010, where my colleague Senator Nash put forward an amendment to the Social Security Amendment (Income Support for Regional Students) Bill that created a potential constitutional crisis, because the issue was that real—we needed to support rural students. It was reported in February 2007 that rural and regional students were deferring university at almost twice the rate of their city cousins because of the lack of support and the lack of funding to support themselves at uni. Thankfully, by the end of February a $20 million Rural Tertiary Hardship fund was set up, and then the Review of Student Income Support Reforms was announced by the government.

So, with one hand the Prime Minister says, 'Give them more choice', and with the other hand she takes it away. With one hand, the ALP government is providing income because they recognise that many students, particularly those from country areas, are doing it tough and struggle to support themselves at university. With the other hand, they take it away. How is that fair or equitable? Why should people who are at university, who are seeking to improve their lot in life and want just to study and not to take part in the broader range of activities, have to pay this fee so others can choose to participate in sport or other activities—subsidised drinks et cetera on the campus. There is this thing called choice. We can choose to pay for the services we wish to, and it is not a fair go to require other people to pay for services they are not using.

I have heard the analogy from a few of those opposite that it is like paying your council rates. But in paying your council rates you are paying for a service you know you will need—somebody to maintain your footpaths or somebody to collect your rubbish. But in this case you are paying for services you may not even be able to access. Many people now study externally. They never come near the campus. How is it fair
or equitable for those people to have to pay this fee?

I now move onto the particulars of the bill. The bill talks about a number of things in the new subsection (4) that the education provider can spend the money on. The list is quite extensive and it includes things like providing food or drink to students on the campus, the supporting of sporting and recreational activities, caring for the children of students and providing legal services—all things that are good that I do not think anyone would complain about being provided.

It is interesting to note though if you take the time to have a look at the university websites. Being from South Australia I have looked at those for the University of Adelaide, Flinders University and the University of South Australia. Some of those opposite would tell us that the current environment in higher education is like a desert with tumbleweeds blowing around and students living in poverty with no support. If you look at the list of services on the website of the University of Adelaide you will see that it lists student services to do with accommodation; careers services; childcare services; counselling services; a dental service; a disability service; an elite athlete support service; first-year students support services; international support services; language and cultural exchange programs; a laptop purchase program; a student grievance resolution processes; student insurance; travel and entertainment; a university health service; campus catering; educational welfare officers; fitness hubs; news and events; health, safety and wellbeing; student magazine; sports association and the list goes on. For those who wish to participate, life on campus is still active and viable.

More importantly, the opportunity for students to take a larger role in engaging in those things that they are passionate about actually develops the leadership and potential of our young people far more than the deadening hand of centralised control that this system will reintroduce. One of the items listed in the new subsection 4 goes to supporting an artistic activity by students. I draw the attention of the Senate to an organisation called AUMO, the Adelaide University Medical Orchestra. This was created after the VSU bill was introduced; so this is in an environment where none of these supports are supposedly there and the student life is supposedly dead, and yet these students have created an orchestra which is, in no uncertain words, outstanding. There are around 150 students involved. They have a stage band, a vocal ensemble and dance crews. They work with a number of partner agencies around Adelaide—the Royal Adelaide Hospital network, the Adelaide Medical Student Society and the Adelaide University Choral Society. They do not just come together to play music. I have been privileged to be able to go both of their major concerts so far in 2010 and 2011. They provide an outstanding opportunity not only for the students to play music but also for the creative potential of those students in both composition and arrangement. How do they do this? How do they get the venues? They use their initiative and they approach sponsors such as BEA Motors, Allans Music and Billy Hyde, and MDA National. Why do they sponsor AUMO? Because it is not just about music. Because of the passion of these young people, they also use the music and the proceeds raised from their concerts to support a number of medical charities and help develop the links between music and better health.

In 2010, the proceeds of their concert went to the Yalata community health project. That is an Indigenous community about 200 kilometres west of Ceduna. Dr Jill Benson
from Adelaide University facilitates fantastic work from a range of health professionals and students to support that community. In 2011, the proceeds went to the Insight Global Health Group, providing mosquito nets to people in Papua New Guinea and Cambodia, and the Cambodia World Family. Importantly, they also have a program working with the Adelaide Womens and Childrens Hospital called the AUMO Effect where they look at using their musical skills and talents to assist in the recovery and healing of people.

This shows that life on a university campus, far from being struck down by the lack of a compulsory fee, actually empowers people who are passionate about the activity they wish to be involved with to create something that is bigger than any of the individual students—something that has great creativity and is of great benefit to the community around them—because they have taken individual responsibility and they have individual interest and passion to make this work.

So from a range of aspects—looking at the principle, looking at the particulars of the bill and particularly looking at the passion of the young people and the potential that that develops—I do not believe Australia will be well served by moving towards the big brother approach, the nanny state approach, again of having centralised control and compulsion for people to contribute to something rather than having the free choice that the prime minister herself spoke about only this month. To quote Sir Robert Menzies:

… what we must look for, and it is a matter of desperate importance to our society, is a true revival of liberal thought which will work for social justice and security, for national power and national progress, and for the full development of the individual citizen, though not through the dull and deadening process of socialism.

All this is, by having the collectivist approach of compulsion and taking away individual choice, is the latest expression of socialism by this government. I remind people listening to this debate that they should not just listen to the words spoken here, whether it was those of the then education minister Mr Smith or whether it those of the current prime minister. They promised that there would be no compulsory student amenity fee. The prime minister said only this month that we must be looking for ways to empower the individual and give more choice. I would ask you to look at what is done. Here we are again, with two broken promises, contradicting a principle that was espoused just this month. As a result of a range of reasons around principle, the particulars of the bill and because it will damage the potential of our young people in the future, I will not be supporting this bill.

Senator ADAMS (Western Australia—Deputy Opposition Whip in the Senate) (17:51): I rise this evening to speak to the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. As someone who attended university externally from a rural area years ago, I found I had to pay a fee for amenities that I was never able to actually use and I found that very difficult. One thing that I am not happy about is that this fee, when the bill is passed, will be administered by the universities. Under the guidelines, the university will have to meet with the democratically elected student representatives and I wonder how many of
these people there will be to go through what they want to do with the fee. Also, the universities have to publish and identify the priorities for the fee. Student organisations have to meet with the higher education provider to consider where the fee revenue can best be spent. The Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans, said students 'have a clear interest in how their fees are being spent'.

I have consulted widely with a number of students. Some are part time at university and others are completely external—as I said, I come from a rural area—and they are very disappointed. Those who are studying part time have to travel to Perth, in this instance, from the country, paying for petrol and accommodation for the short time they are there and then having to travel home again. They wonder how they will pay the additional $250 fee in 2011, and then it goes up to $264 in 2012—I do not have that figure in front of me but the opportunity is there to raise the fee.

Having visited a number of universities and looked at the amenities, my concern is that each time I have been there—I do not know whether it was because I was there—these amenities were not being used fully. In one instance I looked at an amenities room to see what was available and there were no students there at all, and this was a very large university. I really do wonder if this fee is a good move. However, once again, as my colleagues have said, it is a broken promise from the 2007 election when Minister Smith said at that stage that a compulsory fee would not be charged again. Lo and behold, look at what we have before us now.

As you are aware, the coalition oppose this bill because we do not believe that students should be forced to pay for services that they would not or could not use. Under the bill, every one of one million Australian students will be forced to pay their $250 a year, regardless of their ability to pay and their ability or willingness to use the services that their fees will finance. I believe, as my colleagues have stated, this is a new tax on those of our society who in many cases can least afford to pay. Students are already struggling under the current tough economic conditions and this bill means $250 less for textbooks, study material, transport or at least $250 more on their HECS debt.

This bill, as I said, represents a broken promise by the Labor Party, which made a commitment before the 2007 election not to reintroduce compulsory student union fees. The changing demographics of students, even in the last 10 years, means universities today are not as elite as they were. It was really difficult to get into a university then. It is amazing now how many more students can go to university. A number are studying part time, externally, and working or attending university in the evenings due to competing work and family commitments. Many more take advantage of greater flexibility and competition, as well as the opportunities that new communications technologies bring to external study. There are about 130,000 students currently studying externally and these students will never have the opportunity to use the services they are forced to pay for. That is highly unfair.

Today's students see their higher education more as a way to gain credentials rather than to chalk up the so-called 'university experience' on their personal development CV. Just as people go to work to work and not to socialise, often students go to universities to gain an education and not to while away their free time on extra-curricular activities. Generation Y, which accounts for the bulk of university students at the moment, is less collectivist and less committed to institutionalised civil society,
and whether inside or outside the walls of the university they would much rather and more readily join a group on Facebook than a group at their university. They are still interested in sports, hobbies and activities but they are far more inclined to organise and customise their own free time than to rely on others such as student unions to do it for them.

Students generally, unlike student politicians, are not interested in student unions or the services that student unions provide. In a poll commissioned by the Australian Democrats, 59 per cent of students voted against compulsory fees. That was a little while ago, of course, but at that time at most only five per cent of students ever voted in student union elections. That brings me back to my worry about the university collecting these fees and then having to consult with democratically elected student office bearers. If only five per cent of students ever vote in student union elections, how can one say that those elected are actually representative of all the students at the university? So there are a number of flaws here just due to the changing demographic—the change in how students regard their time at university.

I will not go through the services listed in the bill—my colleagues have already covered them. People outside university who need help go to Centrelink or Legal Aid or to organisations like Lifeline. Students do not want to be treated any differently. Outside university they certainly would not expect that everyone in their suburb would be forced to pay a levy or a tax so that they could undertake beer appreciation or enjoy rugby union. I am a rugby union supporter but I am very aware that rugby union at universities is certainly not now supported anywhere near as much as it was when my two sons were at university. In the end, if club services offered on campus are deemed valuable, they will earn the patronage of students without any compulsion. With those few comments, I confirm once again that this bill will not be supported by the coalition.

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (18:01): On 27 February 2007, when the first semester of that academic year began, it coincided with the first semester in which Australia's university students had been liberated from compulsory student unionism. On that occasion I took the opportunity to describe the fight for voluntary student unionism as:

… one of the great recent battles in the history of freedom in Australia.

For five years now, Australian students have been the beneficiaries of the success of the Liberal side of politics in that battle for freedom. For the last five years, Australia's university students have been able to attend university, have been able to attend their academic studies and have been able to partake in the full range of student activity on campus unburdened by the debt and the cost of compulsory student unionism and also unburdened of the insult of being told that they were obliged to join unions and campus associations against their will.

Those five years of freedom in Australian universities were won during the Howard government and they proved so popular with Australian students that, when he went to the 2007 election, no less than Mr Kevin Rudd, then the Leader of the Opposition, was forced to acknowledge that it was untenable for the Labor Party to reimpose compulsory unionism on campus. And so the Australian Labor Party, as Senator Adams has pointed out, was actually elected to office four years ago on the strength of a promise not to abolish voluntary student unionism, not to reimpose upon university students the shackle of compulsory student unionism.
union fees, not to subject them to the insult of being told they would join an organisation whether they wished to or not.

What has happened now? Just as one of the first fruits of the Howard government's control of the Senate after 1 July 2005 was the freeing of Australia's university campuses, so the first dead fruit of the Labor-Greens control of the Senate after 1 July 2011 is to reimpose compulsion on Australia's university students, to force them, against their will, to pay costs for services they do not want to use—because some bureaucrat and some ideologue and some student activists of the Left decides it would be a good idea to make them do so.

This is a great defeat in the history of freedom in Australia just as the Howard government's liberation of university students six years ago was a great victory in the battle for freedom—for intellectual freedom, for freedom of association and for the cultural freedom that says to university students, 'You will decide what you do with your days on campus and nobody will tell you what to do; you will decide for yourself.' But we will not be deterred. There are so many on my side of politics whose formative experience in politics, whose awakening of political consciousness, coincided with experiencing the dead hand of compulsion at universities. So we will not give up.

This is an issue of tremendous importance to my side of politics for two particular reasons—first of all, the reason I have just touched on. As university students we saw for the first time with our own eyes the authoritarian cast of mind. We saw for the first time that habit of mind that says to others, 'Do what we tell you to do; don't do as you would choose to do,' and then seeks to legitimise, even glamorise, that authoritarian cast of mind with pious invocations of the general good. That was a formative experience for generation after generation of Liberals. It was a formative experience for Mr Tony Abbott, once the chairman of the Sydney University Students' Representative Council, and for other great Liberals of my generation, including Michael Kroger, Peter Costello and Senator Eric Abetz. Down the generations, other prominent Liberals who first came to political consciousness on the campuses have joined in that fight, including Mr Tony Smith, the member for Casey, at the University of Melbourne and Ms Sophie Mirabella, my shadow cabinet colleague. When some people who claimed to be supporters of VSU engaged in a little bit of convenient backsliding in the party room in 2005—I well remember it—Senator Mitch Fifield kept the fight going, as did Senator Mason and as did I, and Senator Scott Ryan's contribution should be acknowledged as well. They are but a few.

_I well remember it—_ Senator BRANDIS: It means so much to us because we have, since we were teenagers, lived with this belief and been shocked by the authoritarian cast of mind we first encountered on the campuses, represented today by people like you, Senator Hanson-Young, who certainly is unblushing in her apology for the authoritarian cast of mind.

There is a deeper reason. Voluntary student unionism for us is emblematic of the difference between the Liberal side of politics, which believes in freedom, choice and the rights of individuals, and the Labor side of politics, which derides the freedom of the individual and believes that the collective will of the temporary majority of the day can be imposed on an unwilling minority. We see that in this chamber all the time now that the Greens have seized the balance of power and are in cahoots with the Australian Labor Party.
Madam Acting Deputy President, you may think that this is all merely rhetoric, you may think that it is all merely high sentiment, but it is more than that. I will acknowledge that these issues, these values, these causes, mean a great deal to people like me, which is why we have fought, including against occasionally unsympathetic colleagues in the coalition, for these values. But it is more than just idealism that inspires us; it is the practical outcomes because, like every choice between 'an authoritarian government knows best' system and a system based on freedom of choice and freedom of the individual, it is the latter which always produces the best outcomes.

If I may, let me instance my own alma mater, the University of Queensland. The University of Queensland has the second largest student union in Australia. From the time voluntary student unionism was introduced five years ago, every year at every annual election for the office bearers and members of the Union Council of the University of Queensland, the forces of freedom have prevailed. At every election since 2007, the principal antagonists in those elections were a team of student activists known by the name 'Fresh' aligned to the Liberal side of politics, of course, and a team—it would be so appropriate if they were called 'Stale'—called 'Pulse' aligned to the Labor side of politics. Unfortunately, the Pulse team has barely been able to raise one because, in each of the last five years, the Fresh team, the Liberal team, the team that was associated with freedom of choice and the rights of the individual student, has been overwhelmingly successful. Furthermore, in each of those years the number of students who participated in the election has grown exponentially from about 2,500 in the last year of compulsory student unionism to 12,500, a fivefold increase in the course of the last six years.

One of the lies we were told by the apologists for compulsory student unionism was if we remove compulsion and introduce freedom people would not be interested, people would go away, the quality of the student experience would degenerate, the students would be the poorer for it and the level of involvement would fall off. On the contrary, at my own campus, at the University of Queensland, which Senator Mason knows very well as a former patron of the University of Queensland Liberal Club, far from the level of involvement and enthusiasm falling away, the level of participation has increased from a derisory 2,500 in 2006 to 12,500 this year, quite an extraordinary number by comparison with the usual turnout of student elections across the country.

As I said, this is the fifth year in a row—five out of five—since freedom was introduced at the University of Queensland Student Union, that the Fresh team were overwhelmingly endorsed by the student body.

Senator Mason: Let freedom reign!

Senator BRANDIS: Thank you, Senator Mason. Let freedom ring! They won 57 per cent of the primary vote. There were other candidates as well but of the two principal teams the Fresh team won 57 per cent of the entire field earlier this year. They won 12 of the 15 positions on the Union Council. They won every position on the union executive. They won every unpaid office bearer position. A more comprehensive slaughter of the forces of compulsion by the forces of freedom could scarcely be imagined. And this is the product of what we were told would be a degeneration into almost non-existence of student activity on campus as a result of voluntary student unionism. As always, in the contest between the
authoritarian cast of mind and the belief in freedom, freedom triumphed.

I want to use this opportunity on this very sad day, when the forces of academic freedom and the freedom of students to choose their own university experience are suffering this woeful setback from this shabby alliance between the Labor Party and the disgraceful Greens, to pay tribute to some of the people who at the University of Queensland campus have been instrumental in those achievements. Many of them are friends of mine. They are people like Josh Young, who won the presidency of the UQ Union in 2008; Brandon Carter, in 2009; Michael Zivcic, in 2010; Ben Gorrie, in 2011; the gentleman Colin Finke, who has just been elected president for the ensuing year, 2012; Brodie Thompson, who has just been elected as union secretary; Christian Hayes, who has just been elected as the editor of Semper Floreat, the University of Queensland union magazine, and was also, I am told, the campaign manager for the successful Fresh campaign in recent weeks. They are young people like Kiran Srinivasan; Kieran Shaw, who was elected union vice-president; John Stubbs, who was elected as a union councillor; and Elliott Johnston, who was elected as the Business, Economics and Law faculty representative. The list of the people on the campus of my old university who have accomplished this magnificent victory for the forces of freedom in the last five years could not be complete without mentioning Ben Riley, who was elected a student senator of the University of Queensland and was very active for many years in the University of Queensland Liberal Club and is currently the state president of the Young Liberal Movement, and Laney McLaren, who was a long-time vice-president of the University of Queensland Union. Those people in Brisbane, at the lovely campus of the University of Queensland on the bend of the Brisbane River at St Lucia, follow in the tradition of Michael Kroger, Peter Costello, Tony Abbott, Tony Smith, Sophie Mirabella, Brett Mason, Mitch Fifield, Scott Ryan and all of the others on the Liberal side of politics who have dedicated themselves as students to the cause of freedom.

Senator Mason: And Gary Humphries.

Senator BRANDIS: Thank you, Senator Mason. How could I forget my friend and colleague Senator Gary Humphries, who was president of the ANU Liberal Club in the 1980s! There are many more others and I hope I may be forgiven over any of the oversights which I may have made.

Let me conclude by making this point. Freedom is indivisible. One of the great lessons we have learned since the Enlightenment, one of the great lessons of the West, is that you cannot have the authoritarian cast of mind for some purposes and the Liberal cast of mind for others. If you believe in freedom, you believe in intellectual freedom and you believe in freedom of association and you believe in academic freedom and you believe in civil liberty. You believe in them all because you believe in freedom, choice and the rights of the person as a core value. The person who tells you, 'We will have compulsion in the affairs of university students,' is the same person who, out of the other corner of their mouth, will be saying, 'We will not have academic freedom either.'

If you do not believe in freedom for one purpose, you do not believe in freedom for all purposes. So beware, as I have said throughout the course of these remarks, of the authoritarian cast of mind, incipient in student activists of the Left. The current Prime Minister began her career as an activist of the hard Left on university campuses and only gradually traded away her hard Left dogmatic beliefs for a kind of
flimsy pragmatism. But she remained an authoritarian throughout, as is seen even today in her approach to the issue of asylum seekers.

The authoritarian cast of mind is of a piece, just as the liberal cast of mind is of a piece. Either you believe, in the pith and marrow of your bones, that a good society is a society in which everybody is enabled to be free and not imposed upon or bossed around or forced to do what it would choose not freely to do or you believe that human nature is at its best and most noble if people do have free choice. The great pioneers of and the great warriors for voluntary student unionism have carried the torch of freedom on university campuses in this country for 30 years and they have carried that torch of freedom much more loyally than left-wing academics, who mouth pieties about academic freedom but nevertheless impose the cultural values of the Left, have ever done. It is a setback for them and it is a setback for us today but they will live to fight and to prevail again.

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations) (18:21): I thank senators who have contributed to this debate on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 to which I will not add anything further since it has been conducted in this Senate many, many times.

Question agreed to.

Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator HANSON-YOUNG (South Australia) (18:22): I did flag in my speech on the second reading of the Higher Education Legislation Amendment (Student Services and Amenities) Bill that I needed to withdraw two of the amendments I have circulated, and I formally do so. The government has made clear that it has adopted in its guidelines the issues in amendments (1) and (2). That is great. Those amendments went to the accountability of expenditure and the reporting on consultations. I am extremely pleased to see that the government has adopted those and we do not need to proceed with the amendments.

I still have standing on sheet 6183 amendments (3), (4) and (5) that I would like to proceed with. Amendments (4) and (5) are dependent on amendment (3), and I now move amendment (3):

(3) Schedule 1, item 6, page 7 (lines 12 to 14), subsection 19-67(3) TO BE OPPOSED.

This amendment goes to the heart of my major concerns relating to this bill and, while I put it clearly on the record that the Greens want to see this legislation passed, we want to see student services restored on university campuses, we are concerned that there is an explicit reference in the bill that says that this money cannot be given over to student organisations directly. We firmly believe that if students are going to be charged a fee they should be able to administer how it is spent. That means ensuring that we give it to representative bodies that can make sure it is spent on the services they need, that it is spent in relation to their various different representative structures. I do not think we need to debate this for very long. I assume that the opposition will oppose this amendment but I would like to think that the government would at least entertain the idea.

Senator MASON (Queensland) (18:25): As Senator Hanson-Young has foreshadowed, the opposition will oppose this amendment. She is prescient in her comments. I understand her argument is that
at least to some degree student organisations should be funded. Throughout this entire debate one of the issues that my colleagues in the opposition have been concerned about is the capacity for student politicians to spend student money on various causes. One of the reasons I became involved in student politics, a long time ago, was that student money was spent on causes that I absolutely loathed. I have no objection to people spending their own money how they wish—I do not have any problem with it at all, and I mean that. If people want to spend their money on any particular cause, my view is that it is fine if it is within the law. But when as a student my money was being spent to fund the PLO in the early 1980s, I did not like that. I did not like the idea of my money being used to fund a terrorist organisation. For that reason I joined the Liberal club. Of course I could have joined the Labor club, but they were not quite so strong on this issue. Sadly, they were divided on my campus—half of them thought funding the PLO was a good idea and the other half thought it was not a bad idea. This is the nub of the problem.

None of us on the coalition side have any problem with people protesting or supporting any particular organisation, but we fundamentally object to the expenditure of student money for causes which most students would absolutely object to. The funding of terrorist organisations like the PLO—and other causes; today it could be Hamas—is something we would object to and for that reason the opposition opposes Greens amendment (3).

Senator CORMANN (Western Australia) (18:27): I strongly support the very eloquent and insightful contribution by my colleague Senator Mason. This is a bad piece of legislation. This is a piece of legislation that seeks to impose a tax on students. It is a piece of legislation that seeks to remove from students their freedom of association. It is an attack on personal freedom. The Greens amendment before us would make a bad tax even worse—as if this legislation is not bad enough, the Greens want to make it worse. Yesterday, as we were debating this legislation, Senator Hanson-Young was perhaps a bit disturbed that her name was going to be attached to the legislation as it stands. Her party, the Greens, will be ensuring passage of this bad tax, this broken promise, from the Labor government.

I draw the attention of the Senate to some evidence that was provided to the Senate Select Committee on Scrutiny of New Taxes, which inquired into this a very bad tax that removes students’ personal freedom of association. The committee’s findings state:

The committee, however, remains concerned that the bill provides inadequate protection against political activity.

Of course, the Greens amendment is trying to make a bad situation even worse. When asked whether he could rule out any money collected through the legislation going to the National Union of Students, the Chief Executive Officer of Universities Australia stated that he ‘cannot guarantee that a single dollar would not go to the National Union of Students’. As highlighted in the submissions, student unions are highly political. I will quote here from the very eloquent submission put forward by the Australian Liberal Students’ Federation—pages 7 to 8, for those who are interested:

Office-bearer positions on student unions are almost without exception won by student politicians who are able to mobilise their activist support bases. However, the vast majority of students are apathetic to political causes and do not participate in university elections. It is extremely rare for more than 10% of students to vote in student elections, even at the most politically active universities. At Melbourne and Sydney Universities, two of the most politically-
oriented in Australia, voter turnout can be 5% or less.
The resulting consequence is student unions being run by student politicians, elected by a small proportion of students, who spend the wider student body’s money promoting partisan political causes …

I do not have any problem with student unions promoting partisan political causes as long as the government of Australia does not force every single student across Australia to pay for it. This is what this is about.

I draw the Senate’s attention to some very insightful evidence by Miss Sasha Uher, who was then the President of the Australian Liberal Students’ Federation. This is what she is said to the Senate Select Committee on Scrutiny of New Taxes:

I do not dispute the right of student unions to exist. I do not even dispute the right of student unions to be highly political if they want to be, provided that membership and financial support of that union is voluntary. If students know what their union is doing and they have the choice to support those activities then it is their right to join. For example, I joined my student union this year because under VSU it has remodeled itself into an organisation that actually provides benefits to students. I am involved in clubs and societies, so it is worthwhile for me to join my union.

This is voluntary student unionism at work. This is voluntary student unionism working as it should—that is, that organisations that want to attract members to their cause should be able to convince them to join that cause of their own free will and accord, not because the Australian Labor government, supported by the Greens, forces them to pay a tax, a compulsory levy, which is there to fund activities which are not supported by those forced to pay the levy.

This is really basic stuff. This is an issue of fundamental personal freedom. I say to students across Australians: the Labor-Greens alliance in this Senate wants to take your personal freedoms away from you. They want to tax you and they want to force you again to fund causes that you do not support. Because Senator Hanson-Young thinks that the Labor legislation does not go far enough in removing personal freedoms, because Senator Hanson-Young thinks that the legislation does not go far enough in making sure that the money that is collected from students compulsorily goes into the pockets of those that will use it for political causes, Senator Hanson-Young, with this amendment, wants to put beyond doubt that the students’ money collected from them against their will can be channeled into political activities that those students do not support. With all due respect, this is quite a disgraceful situation. Students should be free to decide what causes they support financially or through their membership. They should not be channeled into financially supporting certain causes courtesy of a federal government mandate. That is not how democracy works.

It is very clear that the Greens are able to spread the rhetoric on democracy—on openness and transparency, for that matter—and on government scrutiny, but when it comes to walking the walk rather than just talking the talk and living by the word of proper democracy, freedom, scrutiny, openness and transparency the Greens again and again have been found wanting.

This bill is bad enough as it is. This bill should be voted down in the form that it is in. The amendment that has been put forward by Senator Hanson-Young on behalf of the Greens would make a bad tax even worse, which is why I very strongly support the comments made by my valued friend and colleague Senator Mason on behalf of the coalition. The Senate should join the coalition in voting this amendment down. It is a bad amendment, a terrible amendment and an amendment that will further
disenfranchise students from right across Australia. It is going to reduce their personal freedom and it is going to facilitate channelling the money they are forced to pay into causes they do not support.

With those few remarks, I am hopeful that Senator Hanson-Young might take on board some of those comments that we have made. Maybe Senator Hanson-Young should reflect on the intrinsic truth of what it is that the coalition is putting in this chamber, and that is that students across Australia do not want to pay this tax. Students across Australia want to be able to choose which associations they can join. Students across Australia do not want their money to fund activities by some student union which they do not support. This legislation combined with the Greens amendment will deliver exactly that, and that is why the Senate should oppose it.

Senator Ryan (Victoria) (18:36): This amendment goes to the core of what the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 is about and betrays the true agenda not only of the Greens but of the Labor Party. This amendment removes a very paper-thin protection for students—what, in essence, is almost a worthless protection for students. It removes it by saying that, as well as collecting a compulsory fee, as well as collecting a fee for services that students may not want to use or be able to use—if they are external students I do not know how they are going to get to Melbourne Uni to use the pool, but they will pay the fee—we can go back to the bad old days when the universities were closed shops. We can go back to the days when the vice-chancellors would levy fees of hundreds and hundreds of dollars in poll tax form to subsidise preferred groups on campus.

I remember one vice-chancellor at Melbourne Uni who had a particular thing for the debating society, which had a number of overseas trips per year. It was quite important that all the students who did not or could not participate in that had to subsidise it. I spoke last night about the ski lodges. It is obviously important that the university be able to pass over money to preferred sporting clubs or institutions in order to fund those facilities, according to the government. But this amendment from Senator Hanson-Young goes back to the bad old days when you had to pay it to a student union.

I am surprised we have not heard from Senator Hanson-Young. After all her interjections, we have not heard that old falsehood of universal membership, that newspeak concept. We do not talk about compulsory unionism; we talk about universal membership. Whatever you call it, it basically makes people join an organisation that is inherently political, regardless of their own personal views and regardless of their own rights of conscience. I say this because the proponents of compulsory unionism, or universal membership, have for many years said, 'But there was always a right of conscientious objection.' And there was in some constitutions.

I remember sitting on the student council of the then Melbourne University Student Union in 1992, and someone did apply for conscientious objection. They objected to various political activities of the student union. It was a guild structure. They objected to money being spent on various things. I think one of them was a Middle Eastern political activist campaign—clearly of relevance to most students at Melbourne Uni! But do you know what the irony was, Madam Temporary Chairman? Upon application, the student council got to judge. If I recall correctly, there were 17 votes on the student council and I was one of fewer than five who voted for that person to be granted the right to conscientious objection.
While the student union said that anyone could conscientiously object, this person tried. They came before the committee and various members of the Left Alliance—one of the various forebears of the Greens, who we see in this place now—would actually say: 'No, we don't believe that you should be able to exercise the right of conscientious objection. We don't believe you have a right not to join. We believe in universal membership.'

I tell you what: I have more respect for those people than I do for the proponents of this amendment, because they were honest. This amendment tries to hide what is compulsory student unionism in its most basic form—compulsory student unionism that the Supreme Court of Victoria threw out in Clark v University of Melbourne No. 1 and No. 2 in 1977 and 1978. As I mentioned last night, Robert Clark, who is now the Attorney-General of Victoria, fought that battle on behalf of students. For decades afterwards, the results of that case limited the political activities of student unions. This amendment attempts not only to remove many of the protections that developed under the previous government's policy of voluntary student unionism but also to remove the protections that came out of that case.

What is the rationale for this? We never hear a rationale. We heard from Senator Hanson-Young at one point in an interjection that we should have student control of student affairs. I can honestly say that we on this side of the chamber would all agree with you. We would love students to have control of student affairs. We just think individual students should be able to exercise the judgment that we expect of people at university, people who are adults in a legal sense—after all, they are enrolled at a university, sometimes in a professional degree. They can choose whether to join the Army and they can choose whatever else they want to do in society, but they cannot choose whether or not they join a student union. So this charade of a slogan, 'student control of student affairs', goes to the heart of what this Greens amendment is about.

We have heard the 'fourth level of government' argument so often from the proponents of universal membership, or compulsory student unionism, over many years. One thing I do not hear from the Greens is why on earth we do not have compulsory voting at universities. If you are going to make all the students pay and you are big supporters of compulsory voting in state, local and Commonwealth elections, why don't you support compulsory voting in student elections? What the Greens, the Labor Party and the proponents of this are afraid of is that the majority of students might exercise their right to determine how their money is spent. At the moment students are exercising their right to choose how their money is spent by keeping it in their pockets or joining up, as the case may be. But Senator Hanson-Young does not want that to continue.

She also does not like the idea that the great majority of students are disengaged from the affairs of student politicians. They are more concerned with their degrees and their social activities, which might not necessarily be on a university campus. It might be hard to believe. Senator Mason referred to himself as a former student politician. Senator Brandis outlined that I had been. Senator Mason, we might have had social lives off campus. We did not need the student union to tell us we had a social life. But, according to Senator Hanson-Young, the Labor Party and the proponents of this amendment, we have to have the student union tell us whether we have a social life. It is called a student organisation, but it is a student union.
What we also have in this amendment is yet another way to avoid the sham-like protections that exist in this flimsy bill. The government will claim that there is protection against political activity, but apparently you can print stickers that tell people not to vote for someone—you just cannot tell people to vote for someone. There can be political activity as long as it does not promote the election of someone to a state, territory or Commonwealth parliament or a local council. So we know the protections are not there, but this strips away even some of the basic ones.

Once you put the student political factions like those Senator Hanson-Young represents in this place in control of student union affairs, with the huge voter turnout that might be five per cent of students, that is when you get what I described last night. That is when you get services being subsidised like a cafeteria that might lose a quarter of a million dollars, as Melbourne uni did in the early 1990s. How you manage to lose a quarter of a million dollars on a closed campus like the University of Melbourne is unknown to most, but they managed to. The money would come out of the till and it would be used to pay the NUS affiliation fees. It would be used to pay student office-bearers' wages, which at the time were in the order of $20,000-plus, which was not an insignificant amount of money. This amendment will ensure that those people again seize control of student funds. The shop stewards of the universities, the vice-chancellors, have their interest in trying to buy peace, as they always have.

The logic of this does not stand up. The logic of this, which is that if you go to a university you have to pay for all the services, is the same logic that says that if you walk into a pub and someone has paid to play something on the jukebox you have to pay for your little share as well. After all, you are enjoying the music and you are in the pub, so there should be a juke box fee in every pub. The logic of the argument could actually be applied like that. We could also have the pool table levy, which would be very much like some of the sports union facilities that exist on our campus. But while you can at least listen to the juke box, if everyone at Melbourne uni tried to hit the pool hall or the ski lodge God knows they would not stand a chance of getting in. It is a bit like trying to play pool at the pub: you will pay, regardless of whether or not you actually get to use the facility, let alone whether or not you are interested. I am grateful that I live in the suburb next door to Collingwood. Otherwise the city of Yarra, commonly known as the People's Republic of Yarra where I come from, might charge us a fee to make us all support the Collingwood football club, just because we happen to live in the area.

There is no logic to the bill, and this amendment weakens the bill even further. It is nothing but pandering to the left-wing student base that the Greens draw their activists from. Any given issue that appears at university the Greens will jump on. We know that people join the Greens party, get disillusioned with the power games that happen and leave in their mid- to late-20s, unless they are one of the preferred few who get preselection. That is why the Greens are campaigning for this. It is the worst example of pandering to your base. It does them no credit, and this bill does the parliament no credit.

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations) (18:45): Much as I have been enjoying all of the fun throughout a very lengthy second reading debate and what is becoming a lengthy committee stage discussion on the Higher Education Legislation Amendment
(Student Services and Amenities) Bill 2010, I should indicate that the government continues to support this subsection. Contrary to what some of the opposition have suggested about our views, the government has made it clear that it will not support a return to compulsory student unionism and that it will not support compulsory funding of student organisations. The intention of this amendment appears to allow the representation guidelines to be amended to require higher education providers to fund student organisations. This is inconsistent with the government's policy.

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (18:46): This is a pretty bad bill, and the Greens amendment would make a bad bill even worse. It is bad enough that universities, under the government's proposed legislation, will have the capacity to charge a compulsory fee for non-academic services. If the Greens amendment, and this legislation, were ultimately successful, the Greens and the government would almost completely have turned back the clock to the period before 2005. I have absolutely no issue with student unions and student associations undertaking political activities. It can be far Left, it can be far Right; I do not care. What I do care about is how the funds are sourced. If the funds are voluntarily given, if the funds are freely handed across—great—everyone should feel free to knock themselves out. But if the fees are compulsorily acquired I have a big problem with their being used for political activities.

One of the arguments which is put forward, and is probably one that the Greens put forward, is that you need to have a compulsory fee to ensure a vigorous campus life, that in its absence the broader student experience is less intense—the experience is diluted—and that you need to have a compulsory fee to make sure that you have someone who can tell you how to have fun. I said in my speech in the second reading debate, and I think it bears repeating, that if you get together a few thousand young, frisky, curious, playful students and put them on one campus you are going to have a vibrant student life, you are going to have a lot of activity. You do not need a compulsory fee and you do not need a student union or association to tell young, curious, playful, energetic, frisky people how to have fun, how to fully embrace the student lifestyle.

Senator Hanson-Young: Are you summing up the Young Liberals?

Senator FIFIELD: No, that is far from the experience of the Young Liberals, Senator Hanson-Young. But my understanding of human nature and of people is that, at the right age and the right place, they are going to experience life. I do not think there has been a diminution of student life and the student experience since the introduction of voluntary student unionism. What there has been is more money in the pockets of students so that they can choose how they want to have the student experience, how they want to purchase services and where they want to purchase those services, so that they are not compelled, in effect, to consume those services on campus. They can pick services that are close to home or close to their place of work. They have that choice. They have that money in their pocket. The individual is always in a better position to determine how to spend their hard-earned dollars than some organisation, be it a government, a student union or a student association.

Progress reported.

DOCUMENTS
Consideration

The government documents tabled earlier today and general business order of the day
no. 8 relating to government documents were called on but no motion was moved.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Moore): Order! I propose the question:

That the Senate do now adjourn.

Sydney Oxfam Trailwalker

Senator FAULKNER (New South Wales) (18:51): In June of this year I spoke in the chamber about Ben Phillips and the Tigers' successful completion of the 100km Melbourne Oxfam trail walk for this year. I am pleased to inform the Senate this evening that the Tigers team successfully completed the Sydney trail walk over the last weekend in August in a solid 31 hours and 46 minutes. I also thought I would touch this evening on the important work of Oxfam in helping some of the world's poorest and most vulnerable people and encourage others to support Oxfam and possibly even give the Oxfam Trailwalker a go themselves.

The 100-kilometre Sydney trail walk is a challenging event. This year's Tigers team was made up of yours truly, on my ninth walk, John Paul Grima, on his second walk, and debutant walkers Greg Bell and Josh Genner. We faced some considerable challenges before we even set foot on the track. Two of our team's most experienced walkers were forced to withdraw due to unavoidable circumstances just days before the start. For the first time, our team called on two reserve walkers to fill the breach. Neither John Paul nor Josh had the chance to prepare for the event, and in the circumstances their efforts were magnificent. I would particularly like to acknowledge the effort of John Paul Grima, who received the call-up, and travelled from Melbourne to compete, just two days before the start of the walk.

Before the start of the event, at Brooklyn, the presentation of the Melbourne Oxfam Overcoming the Odds award was made to totally blind Tigers trail walker Ben Phillips. Senators might recall that I spoke about Ben after he conquered the 100-kilometre Melbourne trail walk earlier this year. Ben is totally blind. He works as a child carer, studies child care at university and plays blind cricket for Burwood, New South Wales and Australia. He is a real achiever and was very deserving of the Overcoming the Odds award. He also recently won the Pride of Australia Medal for courage, and I would like to take this opportunity to publicly congratulate him for that.

Inspired by Benny's spirited award acceptance speech, the Tigers set off on the Sydney trail walk. The 100-kilometre track starts on the banks of the Hawkesbury River in Parsley Bay, winds its way through the very rugged but picturesque terrain of the Ku-ring-gai Chase National Park, then goes through the suburban streets of St Ives and down what could only be described as goat tracks in the Garigal National Park and finally crosses the Spit Bridge and passes Balmoral Beach before walkers climb to the finish line at Georges Heights Oval in Mosman. The walk was tough. There were slips, strains, blisters, twists, whinges and tantrums, but the Tigers dug deep and finished the event in a very commendable 31 hours and 46 minutes. So far, our team has raised $16,560 for this event, we hope with more still to come.

Two thousand two hundred trail walkers, assisted by 750 Oxfam volunteers and hundreds more support crew, participated in this year's Sydney trail walk. The event has so far raised over $3 million for Oxfam. Financial support goes to Oxfam Australia's projects around the world, such as helping orphans in South Africa, tackling development issues in the Mekong Delta and
improving living conditions in Indigenous communities here in Australia. Oxfam provides direct assistance to families and communities, equipping them with the basic tools to achieve positive change in their lives. Oxfam's projects aim to provide communities with clean water and basic levels of sanitation, education and health. Oxfam responds to emergencies by providing life-saving aid, support and protection, often in war zones and in the aftermath of devastating national natural disasters.

Oxfam is currently on the ground in Sindh province, Pakistan, which has once again been devastated by floods. Many parts of Sindh province were still recovering from last year's floods when they were inundated again. Oxfam estimates that 5.3 million people are currently affected by flooding in Pakistan, 4.2 million hectares of land are under water and 1.59 million hectares of standing crops have been destroyed. Oxfam's immediate response has been to provide fresh drinking water and hygiene kits and to assist with search and rescue operations. This work is vital and it is strongly supported by funds raised through events like the Oxfam Trailwalker.

I would like to take this opportunity to thank those who made this year's Sydney trail walk possible for the Tigers team. Many thanks go again to Maxie, who provided a great deal of the support and organisation for us. Sincere thanks go also to our tireless support crew—Liz, Kim, Clare, Louise, Bonnie and Kathryn. Special thanks, as always, go to the Balmain Tigers rugby league football club, which so generously supports our team every year, albeit with the disappointing result in the recent semifinal. It was most undeserved. It is always important to acknowledge when football clubs do good things in the community. From time to time football clubs and football players are criticised, but tonight I want to properly acknowledge, as I have on so many occasions, the support that the Balmain Tigers club have given our team and Oxfam. It is a credit to them and to all involved with them.

Finally, I must thank all our supporters and donors, some of whom are present in the chamber tonight. They have, as you know, Madam Acting Deputy President, generously supported the Tigers year in and year out. They do so much to support the important work of Oxfam and, on behalf of the Tigers, I would just like to take this opportunity to sincerely thank them all.

Stosur, Ms Samantha
Giteau, Mrs Bianca

Senator CASH (Western Australia) (19:01): As the coalition spokesperson for the status of women, I rise tonight to speak on the great achievement of Australian female tennis player Samantha Stosur, who beat 13-time grand slam winner Serena Williams to win the US Open a little over a week ago in New York. The win was Stosur's first grand slam win and the first by an Australian woman in 31 years. It is not since former world No. 1 Evonne Goolagong Cawley was successful at Wimbledon in 1980 that an Australian woman has risen to the level that Samantha has now risen to.

It was an extraordinarily hard-fought and supremely well-deserved win for Ms Stosur. She now follows in the footsteps of not just Ms Goolagong Cawley but former world No.1 tennis player Margaret Court. Mrs Court won a record 24 grand slam titles over the course of her career, was just the second woman to win all four titles in the same year and is still considered as one of the greatest, if not the greatest, female tennis players of all time. The fact that Mrs Court lives in Western Australia and is married to a former...
president of the Liberal Party does not go astray in Liberal Party circles.

Mrs Court welcomed Ms Stosur's win and phoned her in New York to congratulate her. Ms Goolagong Cawley said of the breakthrough win that it would give Ms Stosur a great deal of confidence going into her next few tournaments. Ms Stosur's win has been a long time in the making. She has overcome serious physical hurdles, as well as psychological ones, and has proven herself to be a champion in every sense of the word.

The 27-year-old Queenslander began tennis lessons when she was just eight and, after joining the Australian Institute of Sport's tennis program in 2001, she won the US Open doubles with Lisa Raymond and the mixed doubles at the Australian Open with Scott Draper in 2005. The following year Stosur reached the fourth round of the Australian Open and became world No. 1 in the doubles.

After a long struggle with worsening fatigue, Stosur was diagnosed with Lyme disease in 2007. Her return to tennis in the following year is testament to her work ethic, her fitness, her courage, her persistence and her strength of character. These same characteristics helped Stosur in her win against Serena Williams in New York. In the face of what some have said was an ungracious opponent and on the anniversary of the September 11 terror attacks, Stosur kept her head, kept her cool, maintained her composure and won her first grand slam title in but two sets.

Although her grace, strength, on-court movement and craftsmanship last week made the US Open win look as though it was always hers, Stosur's rise to the top of the game has not been a quick one. Nor has it been a glamorous one. It has, however, been a very important one.

For the future female grand slam champions who are all lacing their shoes and picking up their racquets to go to lessons on Saturday mornings, for the future female Olympians who are only just now mastering their basic swimming strokes, for the future Australian Diamonds netballers who are racing home from school to practise putting up shots in the backyard and for all those little girls and young women who are just having a go, Stosur is, without a doubt, an inspiration. She can be held up as an example of what you can do with quiet hard work and sheer dedication to your craft.

Samantha Stosur has earned the respect of her peers: male and female, overseas and in Australia, past and present. She is a positive role model, too, for 15-year-old Ashleigh Barty, winner of the Wimbledon junior title this year. She will also inspire up-and-coming players Olivia Rogowska and Sally Peers.

It is vitally important, as we see rates of obesity rising in our communities, as we learn that the current crop of children may well be outlived by their parents, as we watch girls as young as eight years of age struggle with self-esteem issues and eating disorders and as we watch our girls idolise women in highly sexually charged music videos, or models, or pageant queens or other women whose worth is judged on their looks, that we encourage them to turn to women of substance and good character to model themselves on.

Many of these women can be found on our tennis courts and netball courts, in our gymnastics arenas and swimming pools—women like Bianca Giteau, also 27. Bianca was born in Dowerin and called Bianca Franklin before she married Matt Giteau. The talented former vice-captain of WA netball team West Coast Fever was spotted playing at a local carnival and, by the time
At age 15, she was representing Western Australia in netball.

At age 19, she was awarded an Australian Institute of Sport scholarship and moved to Canberra to train at the institute. She represented Australia in the under-21 squad and toured England and, in 2003, won an Aboriginal and Torres Strait Islander Commission award for Western Australian Young Achiever of the year. Giteau has served the community through her involvement with the David Wirrpanda Foundation.

The Australian netball team, the Diamonds, led by Captain Natalie von Bertouch and Coach Norma Plummer, this year won the World Championships in Singapore. In my patron electorate of Brand in Western Australia, we have women like Jody Henry, who represented Australia as a sprinter at the 2010 Commonwealth Games. Jody provides a positive example to young women living in the Brand electorate of a strong and healthy young woman working hard to pursue her own goals and dreams. And a group of Western Australian women can even lay claim to having one of the state's best Australian Rules Football team. Up until June this year, the St Mary's Anglican Girls School football team had had just two goals kicked against it.

Sport is integral to life for so many Australians, whether that means playing for a social team on a weeknight, ferrying children to and from training sessions during the week, playing pennant tennis or golf on a weekday morning, cheering on a niece or nephew at their footy match on the weekend or going to watch a game of AFL. As women's sport continues to battle for greater television and radio coverage, for greater recognition in the broader community and for a greater share of sponsorships and the benefits that come with them, it is vitally important that we as parliamentarians and representatives of our electorates continue to recognise and promote female sportspeople for their dedication and their talent and as positive, healthy and constructive role models for our girls and young women to look to. There is obviously a relationship between the coverage women's sport receives in the media, the level of sponsorship it gets and participation levels among young women, who will inevitably gain enthusiasm for their sport from seeing high-achieving women in the field represented in the media.

I once again congratulate Samantha Stosur on her breakthrough win in the US Open and for the tenacity, quiet endeavour and strength she has displayed in working to become world class in her profession. It is reported that in 1997 as a 13-year-old Stosur told her parents that she would not go to school until she had watched every point of Patrick Rafter's first US Open win. I have no doubt that there are many young women who watched Samantha's win with the same degree of intensity and interest, and I am sure that they will derive the same level of inspiration from her win as she did from his. Hopefully, Samantha's win will further raise the profile of women's tennis and women's sport more generally in Australia.

The Australian Greens: 20 Years in Local Government

Senator RHIANNON (New South Wales) (19:09): As the Greens spokesperson for local government I would like to pay tribute to 20 years of Greens representation in local government across Australia. The Australian Greens had their first electoral win in the 1991 New South Wales government elections held on Saturday 14 September 1991, with Bruce Welch elected to Marrickville Council and John Sutton elected to Newcastle Council. That proved to be the start of an unbroken representation on both councils that continues to this day.
From this humble beginning we have grown in numbers and support. Today there are 74 Greens councillors across New South Wales, with a better than 50-50 gender balance of 38 women and 36 men, including Jill Merrin and George Takacs, who were elected to Wollongong Council in a by-election just over two weeks ago. There are currently five Greens mayors in NSW, including Jan Barham who was Australia's first popularly elected Greens mayor, and a number of deputy mayors serving on both metropolitan and regional councils. Dominic Wy Kanak in Waverley was the first elected Indigenous Greens councillor and councillors Jeremy Buckingham, Ray Goodlass and Dorothy Robinson have worked hard over the years as the lone Greens councillor in their regional communities. Around the country there are over 100 Greens councillors serving their communities.

Whenever I get together with our councillors I am always proud of the diverse range of excellent people who step up to represent their community and the Greens. I congratulate and commend all Greens councillors, past and present, and the Greens New South Wales local groups that support them for their hard work and their dedication to upholding Greens values and principles. What unites our councillors is their commitment to grassroots democracy, open government and community engagement, protecting the built and natural environment from vested interests, and initiating sustainability measures for a greener future.

Greens councillors often face intense pressure from the old parties, developers and different interest groups. It takes courage to face this pressure, to stand up for your principles and to defend what you believe is right, not just what is easy. I praise them for their continuing courage and commitment, which delivers a solid foundation for progressive politics in NSW.

I pay tribute to Hall Greenland, Tony Harris and other founders of the first Greens party, the Sydney Greens. They registered the party name in 1985. The efforts to organise the party in Sydney's inner west took various forms in the 1990s, with us running in a number of federal and state elections. Bruce Welch, a former Labor member, ran as an independent in the 1990 federal election with a small group of supporters who were by and large annoyed at local Labor's corruption. He decided to run for the Greens in the 1991 New South Wales state election and then the local government election. When Bruce was elected to Marrickville Council in September 1991 he was the first person to be elected under the party name 'The Greens' in New South Wales. He was comfortably elected, taking the third of four positions in Henson Ward without any other candidate directing preferences to the Greens ticket. He spent just $700 on his campaign.

One of the first orders of business for the Greens on Marrickville Council was to reform the way politics was practiced at the local government level. Bruce Welch campaigned for open government, for the rights of residents to speak on agenda items before the council and to have their voices heard on planning matters and for residents who have lodged an objection to a development application to be advised in writing when the matter was to be discussed by council.

One of the hardest decisions Bruce faced was who to support for mayor. Together with a community independent the Greens drew up a charter for open council which they presented to every contender for the mayoralty. The charter concentrated on the principles of open council, public participation, open planning and approval process and equal access to all. I read the charter this week and I will publish it on my website. It
has stood the test of time as an excellent model for open and democratic local government. Processes that we take for granted today, such as recording the way councillors vote on business matters, the disclosure of pecuniary interests or holding public meetings about major developments, were argued for and won by progressive councillors like Bruce. In his first two years on council, Bruce Welch achieved many of the goals that he set out in the charter for open council. The most important of these was the right for residents to address council meetings to speak about issues that affected their local neighbourhoods. Over time, the Greens' successes at reforming the culture of local government convinced residents that the 'old guard' and old ways of doing business in council were not effectively representing residents' wishes, concerns and aspirations. The Greens' commitment to good governance and grassroots representation has resulted in a constant rise in support for the Greens in Sydney's inner west at local, state and federal levels.

One of the toughest issues during Bruce's term on Marrickville Council was the commencement of operations of the so-called third runway at Kingsford Smith airport. Residents and business operators were stunned by the impact of the change of airport operations, placing a huge workload on the councillors. This resulted in the forced demolition of many houses, which had made up much of the suburb of Sydenham, because they were deemed too noisy to live in.

Bruce often found himself acting as a de facto ombudsman, helping residents to understand the processes of council and how they could use the most effective methods to get their voice and concerns heard and to try to cut through some of the red tape. I acknowledge the fine groundwork that Bruce laid to build strong relationships with his local Greens supporters and the wider Marrickville community. His legacy lives on.

Ten Greens councillors have been elected in the last 20 years, with Sylvia Hale joining the Greens from No Aircraft Noise and Paul Fitzgerald also making a huge contribution to the work on airport issues in this area. A majority of our current five councillors are women. Fiona Byrne is the first woman Mayor of Marrickville and Marika Kontellis is the first woman of Greek heritage elected to Marrickville Council. Like Bruce did 20 years ago, today's Greens councillors in Marrickville work hard for the community.

The other success for the Greens in the September 1991 elections was in Newcastle. The Greens took the other parties and players in Newcastle by storm. Labor and the conservative Citizens Group controlled Newcastle City Council at the time, with a couple of half-decent Independents trying to inject some forward thinking into the council. It was the first time Greens had contested local government and definitely the first time in Newcastle. There were no wards then, just 12 seats on the council to be elected by proportional representation. Newcastle Greens needed 7.7 per cent of the primary vote to secure a seat in the chamber.

John Sutton was elected as the first Greens alderman, as it then was, to Newcastle City Council in the September 1991 elections. He served two terms on the council before retiring in 1999. He was elected with virtually a full quota. Achieving more than seven per cent of the vote in our first election was indicative of the receptiveness of the electorate and the potency of our energetic campaigning and progressive policies. That was a fantastic result—7.7 per cent of the vote in 1991 in Newcastle.

By the next council election, four years later, Newcastle had been partitioned into
four wards. With an even more locally focused campaign, and following four years of vigorous Greens representation on the council, John tripled his personal vote. John was largely responsible for initiating Newcastle council's environmental management plan and Newcastle's first waste management strategy, which aimed—among other things—to eliminate waste to landfill in Newcastle by 2010. Sadly, subsequent councils have not been up to the task of achieving this specific objective. On the basis of much of this work, Newcastle council went on to develop a national and even international reputation for environmental innovation in local government throughout the 1990s that was based on their strategic approach to waste.

John played a key role in developing a groundbreaking statement of commitment between Newcastle council and local Aboriginal people, which again became a template for other councils around Australia.

John's approach to the active role of local government in ethics and sustainability culminated in nationally recognised showdowns between Newcastle council and the Malaysian government—I had the pleasure of working with John at the time, and that was when we first met—between Newcastle council and McDonald's over the use of disposable cutlery and plates in their restaurants and between Newcastle council and animal circuses over a ban in Newcastle initiated by John on the use of wild animals in circuses. In each case, these controversies provided an important battleground for discussion and decisions that took Newcastle in a more progressive direction. John still plays an active role in the civic life of the Newcastle community.

In Newcastle, Greens councillors have been successful in setting up precinct committees to enhance community participation. They have secured their place in the political landscape in Newcastle and in 2007 were the largest group on council.

I congratulate Greens councillors across the country for their work.

West Terrace Cemetery Heritage Trail

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (19:19): Madam Acting Deputy President, I pose this question to you: what do an American ballerina with a Russian stage name; internationally renowned musician and composer Percy Grainger; South Australia's first Premier, Boyle Finniss; artist Horace Trenerry; and four Victoria Cross recipients have in common? Well you may wonder, Madam Acting Deputy President. The answer is that they are all buried in the Adelaide West Terrace Cemetery and have been commemorated by a unique, self-guided, 90-minute heritage trail.

More than 150,000 people are buried in the West Terrace Cemetery, which is operated by the Adelaide Cemeteries Authority. This trail, which opened recently, reflects the innovative and imaginative way the authority and its staff see the very special role that cemeteries play in our history. The West Terrace Cemetery's historical value has been recognised by state heritage listing. I am not aware of any other cemetery in Australia that has approached the concept of heritage, tourism and interpretation in such an innovative way.

This heritage trail transforms the cemetery into a centre for cultural tourism, education and research. This enhancement of West Terrace Cemetery provides a unique and engaging visitor experience and contributes to the state's reputation as a leading cultural tourism destination. Visitors to the cemetery can collect a brochure at the main entrance and navigate their way to 29 sites that
provide unique insights into the state's history and the lives of both eminent and everyday South Australians. Regular guided tours are also available with the valuable and enthusiastic support of the authority's volunteers. The trail is part of the authority's continued commitment to the conservation, management and promotion of the cemetery's cultural and heritage value. As Adelaide's principal cemetery for almost 100 years, the historic West Terrace Cemetery brings together one of the most complete histories of the state, from colonisation to the present day. Visitors can immerse themselves in the captivating and long-forgotten stories of the state's early pioneers, notable figures and controversial characters. They can discover the famous names and noteworthy people who have shaped South Australia's arts, industry, government and society. They can also delve into the social and cultural beliefs and attitudes of the living community that created and developed the cemetery.

Visitors can see how changes in society are reflected in the way the dead have been commemorated. Among the people they meet as they walk the heritage trail are: composer Percy Grainger; political icon Charles Cameron Kingston—the Canberra suburb I stay in was named after him; women's suffrage campaigner Mary Colton; and campaigner for women's working rights Augusta Zadow. Augusta Zadow's tombstone, incidentally, was paid for—I am sure you are interested in this, Madam Acting Deputy President—by nearly 1,000 threepenny subscriptions, raised by the South Australian Trades and Labour Council, in honour of her tireless efforts on behalf of the labour movement.

The heritage trail also takes in the final resting places of: musician and composer Carl Linger, who composed Song of Australia; pharmaceuticals entrepreneur Francis Faulding; American ballerina Madeleine Parker, who performed under the Russian stage name Mira Dimina, and who died while on tour in Adelaide; and merchant and Chinese community leader Yett Soo War Way Lee. This person might be of more appeal to you, Senator Joyce: media magnate, politician and philanthropist Sir John Langdon Bonython. This one will not appeal to you so much: there is also the grave of socialist and feminist campaigner Julia Margaret (Bella) Guerin.

In the Jewish section of the cemetery, visitors will find businessman, state Premier and member of the first Commonwealth parliament, Vaiben Solomon. In the Australian Imperial Force section, they can see simple marble headstones marking the graves of the state's Victoria Cross recipients: Arthur Seaforth Blackburn, Joergen Christian Jensen, Philip Davey and Reginald Roy Inwood.

Also buried in the West Terrace Cemetery are the first governor of the Adelaide jail, William Baker Ashton, and police constable William Hyde, who was killed in the line of duty in 1909. The West Terrace Cemetery also has the Overland Telegraph Monument, a memorial to four telegraph workers killed and injured in incidents at Barrow Creek and Roper River, in the Northern Territory.

West Terrace is also home to the Smyth Memorial Chapel, which has a connection to Australia's first saint, Mother Mary MacKillop. Among those buried beneath the chapel are members of the Catholic clergy who were key figures in the Mary MacKillop story. I was recently in the Catholic section of West Terrace Cemetery for the burial of my cousin Joan Farrell. While I was there I noticed the grave of John Malone just nearby. John Malone went to school at Christian Brothers College in Adelaide, with my grandfather, and they went off to fight in
World War I together. John Malone's granddaughter, Justice Rosie Davey, recently used my grandfather's war letters to retrace their steps on a battlefield tour in France. That is the sort of very personal history that can be found in a cemetery. West Terrace Cemetery also features the Caroline Emily Clark Memorial Garden—a contemporary memorial to those buried in unmarked graves. Those who walk the heritage trail are able to see South Australia's history through the eyes of the people who helped shape the state. They can imagine the world the early pioneers inhabited and the lives they would have led.

The trail is just the beginning. Over time, additional trails will be developed and existing facilities refreshed to give people more reasons to visit and to return to the cemetery. Progressively, the trails will delve into the cemetery's development and the social and cultural beliefs and customs of the community that created it. They can also explore the diverse monuments and symbolism present in the cemetery and the remnant native vegetation found on site. There are literally thousands of monuments in the cemetery, and together their designs and inscriptions offer a fascinating insight into life in South Australia. Each has its own unique tale to tell: the tragic loss of a child; the legacy of a patriarch; bravery and resilience in the face of adversity.

People are encouraged to take some time, as they weave their way through the cemetery, to read the stories immortalised in these silent memorials. The cemetery has provided an unexpected refuge for native plants, so walkers are also able to see some rare and endangered species that have long been cleared from the Adelaide Plains.

The board and staff of the Adelaide Cemetery Authority are to be congratulated on this trail, which was launched earlier this year. Already hundreds of locals and visitors have walked the trail, either independently or as part of a guided tour, and have found their experiences extremely rewarding. It is a unique trail, and one that many other cemeteries in Australia could benefit by following.

**Farm Exit Support Program**

Senator McKENZIE (Victoria) (19:28):

In this chamber last week I asked a series of questions to the Minister for Agriculture, Fisheries and Forestry, Senator Ludwig, about the Farm Exit Support Program grants. The short story is that the Gillard government overpromised and underperformed in yet another policy area, this one affecting farming families who are already right on the edge. These farmers have coped with a decade of drought and many in Victoria have been then hit with floods. They had reached the end of their tether when the minister came along and said, 'I am from the federal government and I'm here to help.' The vehicle to deliver that help was called the Farm Exit Support Program and many farmers saw it as their last hope to save their families from bankruptcy.

I do not blame the minister personally for the failure of the scheme in many cases that were publicised in the media over the weekend. But I do believe that the Treasury has a lot to answer for. Apparently the Deputy Prime Minister's department thought that $9.6 million was sufficient to reimburse farmers who had been broken by a succession of natural disasters at the rate of $150,000 each to walk out the farm gate. This Treasury allocation for the Farm Exit Support scheme was supposed to be for the entire nation.

One of my questions to the minister was about the modelling his department had undertaken to inform this scheme. He said
that he could not produce any and he explained that successive governments had built on their exceptional circumstances programs as droughts came and went. But surely Treasury is better than that. Surely Treasury officials take advice from other departments and have at least some idea of the areas affected, the number of farms devastated by the weather and the number of farm families who are likely to see such schemes as their only hope for salvation. Surely they have some idea of what is actually happening on the ground in regional areas.

Earlier today the minister incorporated some more detail from those answers to the questions in Hansard I mentioned earlier, but I confess that I am actually no wiser about the process. The minister said that all programs, including the Farm Exit Support Grant scheme, are costed through the budget process to project the uptake and allocate the funding. The costing assumptions are agreed with the Department of Finance and Deregulation before being accepted. All I can say is that the Department of Finance and Deregulation got it wrong.

The minister then goes on to say that modelling for the Exceptional Circumstances Exit Grant was predicated on the number of areas with EC declarations. The 2011-12 budget allocation of $9.6 million targeted those farmers located within recent EC declarations. These farmers had the shortest amount of time to recover from the effects of the recent drought. The central part of the modelling took into account the number of EC exit grants paid up in 2009-10 and applied those results to the new target group. Historical data of applications, grants and rejections was also used to project the budget required for the farmers located in EC declared areas that were current on or after 1 July 2010. So there we have it, straight from the minister's mouth.

That form of words may satisfy the bureaucrats, but it will not do anything for farmers facing bankruptcy, or worse. Don't the people in the finance departments read the newspapers, listen to the radio or watch the TV? The farm sector has been battered by drought and flooding rains. It has happened right across the country, from Western Australia, through Victoria, New South Wales and Queensland and it has gone on for years. When the drought broke and the rains came we had the sort of rain that tore through Queensland devastating crops and drowning cattle, turning many Victorian farms into swamps and causing Bells Swamp to cut the main road between Bridgewater and Maldon, which is so vital for getting our agricultural produce to market or to the Melbourne ports for export. And the road is impassable to this day.

The underfunding of this scheme goes to reinforce that the hierarchy of the Gillard government is totally out of touch with the reality on the ground in the regions. I remind the chamber that the Farm Exit Support Grant scheme was funded to the tune of $9.6 million in the May budget. The scheme started on 1 July this year and ran out of money in just over five weeks, with virtually no notice, and was suspended on 10 August. The scheme was supposed to run for 12 months and a lot of people thought they had time to talk through with their families the really hard decision about whether or not to sell the family farm. It is a terrible wrench in the lives of people. It takes time to reach that decision, time for families to come to the dawning realisation that they may have to leave the farm. They need time to talk it through with the family. Then you have to have the conversations with your accountant, your staff and with financial institutions.

Because the drought lasted long enough, but in some places, including regional Victoria, it was replaced by floods, a decade
and more of these sorts of natural disasters left many farming families with an overdraft that you could not jump over. This is the main point missed by Treasury. Just because the drought ends, the financial hardship does not. Tradesmen and seed suppliers are still waiting for their money. The debts still have to be paid and the bank has to get its cut. That means that small businesses in regional towns—the tradies, truckies and shopkeepers—also feel the financial pain if the promised money does not come through. The flow-on effects of these decisions are very significant in regional communities.

In answer to one of the questions I asked, the minister was gracious enough to extend an invitation for me to bring individual cases of hardship to his office so that their circumstances could be looked into on a case by case basis. Some of those individual cases featured in the weekend media as news of the untimely cut-off of this program, on 10 August, reached into our farming communities. The Weekend Australian featured the case of Mr Trevor Fawcett, a canola farmer from Pyramid Hill, in the Victorian seat of Murray. He made what has been described as the unbearable decision to sell his 130 hectare property, believing the scheme would leave him with some of the $150,000 to make a new start in life for him and his family. The introductory paragraph of this story is worth quoting in this chamber:

Struggling rural families have been left without homes or stable livelihoods despite receiving official endorsement to apply for $150,000 grants to move into another way of life. The story explains that the Fawcetts bought the property in 2002 at the start of the drought and early this year were hit by the January floods. Things were looking up for the Fawcett family when he decided to sell and access the Farm Exit Support Grant scheme. He received a letter from Centrelink on 9 May announcing he was eligible for a $10,000 retraining grant and may be eligible for the $150,000 exit grant if he sold his property. He did and then he was told that the government had run out of money. Now he works three days a week at the local garage to support his wife and three young children. This is the human face of this underfunded program.

My own research indicates that there are probably hundreds of farmers who make up the three categories of victims of this failed scheme: those who have been through the pre-assessment, sold their property and have received settlement but have been denied the $150,000 grant; those who have been pre-assessed, sold their property and are awaiting settlement; and those who have been pre-assessed, have put their property on the market and are awaiting a sale. I have been around farms and farmers long enough to know that in some cases farmers are on marginal land which may be just viable in the good times but not sustainable in the longer term. If this Farm Exit Support Grant scheme was funded sufficiently to cater for those farmers, it would be doing them a favour as well as looking after the environment. But they are the exception. Many farmers who wish to access this farm exit scheme are in the Victorian regional seats of Mallee and Murray on properties which are extremely viable and producing a lot of food and fibre for our nation and indeed international markets.

I know that the National Farmers Federation have written to the minister’s office as well as to Treasurer Wayne Swan on behalf of those who have battled drought for years and who have had their expectations raised. I know that my colleagues in the other place—John Forrest, Sharman Stone and the shadow minister for agriculture, John Cobb—have also made representations. I sincerely hope that when I
assemble these cases of the innocent victims of this underfunded scheme and present them to the minister's office that common sense will prevail. I hope that the minister can convince Treasury that in the real world of flood and drought the sum of $10 million is nowhere near enough to compensate farming families who have been forced to abandon their chosen way of life through forces beyond their control and who have to try to start again.

Queensland Community Services Sector

Senator FURNER (Queensland) (19:38): Last Friday, I read with interest an adjournment speech by Senator Boyce in the Senate on 15 September. I spoke on 5 July of the historic campaign underway for equal pay for social and community services workers, the subject of an equal remuneration case which is currently before Fair Work Australia. As I said on 5 July, the equal remuneration case application was based on pay equity rates awarded to community services workers in Queensland in the state jurisdiction in 2009. The decision of the Queensland Industrial Relations Commission was substantial, resulting in wage increases between 18 and 38 per cent. Due to the debacle that was John Howard's WorkChoices antiworker and anti-union legislation, these pay equity wage rates did not take effect straightaway for all community workers in Queensland. The wage rates applied from 1 July 2009 for some employers and would only take effect for other employers at the end of the Work Choices transitional period in 2011.

The confusion some charities are experiencing that Senator Boyce is so concerned about began in 2006 with the introduction of the Work Choices legislation, which arbitrarily divided an entire industry into those governed by state legislation and those governed by federal Work Choices legislation. The Gillard government continues to work to repair the damage caused by Work Choices. In October 2009, workplace relations minister Julia Gillard signed a heads of agreement with the Australian Services Union which precipitated the referral of powers and brought the entire social and community services sector under the Fair Work Act, excluding parts of Western Australia. As part of this heads of agreement, the Commonwealth committed to the protection of the pay equity rates of pay for Queensland community services workers, in particular those workers who would have been entitled to the pay equity rates if not for the referral of powers. It is these wage rates won in Queensland in 2009 that Senator Boyce thinks are a disaster.

In 2009, the Bligh government in Queensland committed $414 million over four years to the sector. This went to 591 organisations, many of which were required to pay the pay equity rates to their employees from July 2009. The Commonwealth regulation prescribing 316 employers in Queensland are in addition to the many hundreds of employers who have been required to pay the pay equity rates since their introduction.

Let us remember that we are talking about wages—the money in the pockets of hardworking people who assist Australians in crisis who, for example, counsel victims of sexual violence, including children, and who work in accommodation services with youth at risk, with the homeless and with people with disabilities. We are talking about the wages of working people who assist Australians when things go horribly wrong, or when intervention or special assistance is required, or when Australians have a need for particular support to fully participate in our society with dignity. Senator Boyce spoke little about these workers. She also
spoke little about the clients who rely on community services workers. The people who rely on community services and rely on charities deserve high-quality care.

Australians who need community services deserve the assistance of appropriately qualified and skilled staff. It should not be contentious that any employee, regardless of gender or industry, should be fairly paid. Australians deserve and expect high-quality community services and community services workers deserve and should rightly expect fair and equitable wages.

In August 2011, the Bligh government committed $125 million in recurrent funding to the sector to assist in meeting the ongoing cost of increased wages. Of the 316 employers prescribed by the regulation, many have been paying the pay equity rates since they were introduced, like Micah Projects and Brisbane Youth Service. Some organisations that received no additional funding and are not prescribed by the regulation to pay these rates have passed the wages on to their staff, like the Queensland Council of Social Service. It is not uncommon for good employers to pass on reasonable sector wages to reward and retain their staff. Many organisations across Queensland have paid these rates since the beginning in recognition of their dedicated and hardworking staff.

The Commonwealth regulation allows for the phasing of back pay to staff to January 2010. To ease the burden on employers, the back-pay arrangements are phased over three years until 2014. This is to ensure that staff still receive their entitlements, while allowing employers time to manage their obligations.

The Gillard government wants to uphold its commitment in the heads of agreement to give legal force to hard-won pay equity wage rates for thousands of social and community services workers in Queensland. It is fair and it is reasonable for these dedicated professionals, these working women and men, to expect a decision on work value to be honoured, such as the Queensland pay equity decision for social and community services workers. The protection of the pay equity rates is the right thing to do and this Labor government will continue to ensure fairness for working women and men, and the protection of their entitlements—unlike those opposite, who are planning to reintroduce their Work Choices mark 2 policies, policies that saw women working full time on Australian workplace agreements take home $87.40 per week less on average than women on collective agreements. Under Work Choices, 64 per cent of Australian workplace agreements cut annual leave loading and 63 per cent cut penalty rates. This is the back to the WorkChoices agenda those opposite in the Liberal-National coalition want working families to swallow once again.

If I need to be questioned on this, I only need to refer to Senator Boyce's media release dated 17 March 2008, where she says:

Individual workplace agreements are not the big bad wolf that the Government would have us believe, and many businesses across the country believe that flexibility is crucial to a modern industrial relations system.

Tell that to the women who were coerced into signing the Spotlight Australian workplace agreement—a 2c per week increase for the loss of their annual leave, penalty rates and a plethora of conditions. That is what those opposite wish to reintroduce.

To add salt to the wound, Senator Abetz has filed a notice of motion in this chamber for the disallowance of the regulation to provide pay increases to the women and men who work in one of the most poorly paid
industries in Queensland. Effectively, this means the Liberal-National Party is trying to strip from thousands of Queensland workers their entitlement to the pay equity rates of pay fought so long and hard for. Senator Abetz's motion is a direct attack on the rights of Queensland community services workers, who deliver services to protect vulnerable Australians and provide our social safety net. Senator Abetz should withdraw his motion and stand up for Queensland community services workers by ensuring Queensland pay equity wage rates are legally protected for community services workers.

Renewable Energy

Senator GALLACHER (South Australia) (19:46): Tonight I would like to speak about South Australia's commitment to renewable energy, especially the use of wind power. Currently, South Australia has approximately 15 wind farms dotted across the state. South Australia's wind generation capacity is 1,151 megawatts, and this will be substantially increased by an additional thousand megawatts if the proposed wind energy projects on the books are given the go-ahead.

This shift to renewable energy in South Australia can be attributed to extremely strong support from the state Labor government in its quest for environmental sustainability and for the benefits to be reaped from greater investment in clean energy generation. South Australian Premier Mike Rann, a big supporter of clean energy generation, recently stated that there are over 530 operational turbines in South Australia. These signify investments worth billions of dollars, all from private investors, with the Clean Energy Council stating that the approximate total capital investment in South Australia is around $2.8 billion.

What has been quite astounding is that all of the turbines have been built through the leadership of the South Australian Labor government over the last nine years. It is not at all surprising that wind energy generation has contributed significantly to South Australia reaching its legislated target of 20 per cent renewable energy generation. The objective was reached in June this year, and I congratulate the state government on, firstly, setting that objective and, secondly, reaching it. However, the state Labor government is not resting on its laurels. It is going further, setting a target of 33 per cent renewable energy generation by 2020 as part of the state's strategic plan. This great effort so far by South Australia and the continued investment in the clean energy sector will assist the whole nation in reaching the target of 20 per cent renewable energy by 2020.

Looking at the statistics in the Clean Energy Council's July snapshot, I am proud that South Australia, at 54 per cent, accounts for more than half of Australia's wind farm operating capacity. It is a significant achievement for a state that accounts for less than 10 per cent of the nation's population. Wind energy in South Australia accounts for around 3,223 direct and indirect jobs. These are all significant figures in renewable energy development. They have set a strong base for future progress, and we already have proven success in wind energy generation.

It is fantastic to note that South Australia is a leader in wind power generation. South Australia's leadership in wind power is providing economic benefits for regional South Australia, especially in my duty electorate of Grey, where many of these wind farms are being constructed. Continuing along this pathway, RenewablesSA has been established by the state government to support renewable energy objectives. RenewablesSA has been set up to provide high-quality information to potential investors that will seek to unlock thousands of megawatts of potential wind power in...
South Australia, specifically on the Eyre Peninsula.

The amount of carbon pollution avoided by this technology in South Australia is around 3.4 million tonnes of carbon. South Australia's success in wind energy has shown that moving to these cleaner sources of energy has limited the amount of carbon pollution emitted into our atmosphere. South Australia's ongoing commitment to wind farms has made it an attractive place for investment. It is fantastic to see that Suzlon Energy Australia has plans afoot to develop one of the largest wind farms in the world, near Ardrossan on the Yorke Peninsula, by 2015. The plan is to construct 180 turbines that could deliver energy to 225,000 homes in Adelaide through an undersea cable feeding electricity into the grid. The plan would see it invest $1.3 billion.

According to an ABC report on this matter on 31 August, the project is expected to create 500 construction jobs, with 50 ongoing employment opportunities. Importantly, landholders are very supportive of the Suzlon plans. As the ABC reported, landowner John McFarlane, who actually pitched the wind farm idea to the company after collecting wind data for eight years, has the support of 30 other local landowners. It is a very important initiative.

This announcement by Suzlon shows a continuing level of interest from investors due to the opportunities that wind generation have presented in South Australia. Even before the announcement by Suzlon Energy, the Clean Energy Council's July snapshot painted a rosy picture in presenting the proposed wind energy stats for South Australia. Currently, there are 14 proposed wind farms in South Australia, which could possibly result in another 648 turbines. The equivalent energy produced will be able to power more than 567,000 homes. This could see another 948 direct jobs created in South Australia. Nationally, the stats show that 90 wind farms are under consideration by planning authorities, possibly adding another 5,000 turbines to the 1,153 turbines operating at the moment.

It is no wonder that there is public support for wind farms and other forms of renewable energy, not only from the people who will gain directly from cleaner energy generation but from the wider public. A Newspoll survey conducted in May 2010 showed that 95 per cent of South Australians and around 90 per cent of all respondents in Australia think the nation should produce more renewable energy.

As I have said, South Australia is very supportive of renewable energy and a clean energy economy for our children and our children's children to enjoy, along with the job opportunities that this creates. I am proud that South Australia is doing more than its fair share so that all Australians can enjoy a cleaner energy future. In my home state the future is quite bright for the development of renewable energy. The introduction of a price on carbon will make this market more attractive for investors and energy companies. I am confident that renewable energy generation will continue to make great strides on the back of our proven record in South Australia over the last decade. But South Australia is not just a state for wind farms. Along with the rest of the country, South Australia has a strong focus on all forms of renewable energy, such as geothermal, solar and tidal energy that can be fed into the grid.

Australia's federal commitment to 20 per cent renewable energy by 2020 will lead to many more opportunities for states and investors to gain the benefit of greater clean energy generation. Federal government programs such as the $5.1 billion clean
energy future initiative will provide great incentives in the development of this industry. I have great hope that the development of wind, solar energy, geothermal energy, tidal energy, bioenergy and biofuels will not only contribute on a social and environmental level but add great opportunities to our economy. These, I hope, will be the jobs that future generations will enjoy.

The Clean Energy Council, in its report *Renewable energy jobs in 2009 and forecasts for 2020*, projected that through the government's renewable energy target there could be as many as 30,000 employed in this industry by 2020. These opportunities are significant, and I believe that cleaner forms of energy have the support of the majority of Australians. I hope that during my time here as a senator for South Australia the development of wind energy and other forms of renewable energy will continue to head in the right direction, because I understand that the next generation of South Australians and Australians want a cleaner environment and want the opportunities of a clean energy economy.

**Durban III**

Senator **FEENEY** (Victoria—Parliamentary Secretary for Defence) (19:59): I would like to take this opportunity to make some comments about the government's decision that Australia should not attend the United Nations meeting in New York to mark the 10th anniversary of the Durban declaration against racism. The meeting, commonly referred to as Durban III, opens in New York on 22 September. A number of other countries, including the United States, Canada, Italy and the Netherlands, are also staying away from this meeting.

Support for the UN system is one of the three pillars upon which the foreign policy of our government stands, together with the US alliance and engagement with our own region. So a decision to stay away from a major UN leadership meeting is not taken lightly. However, the sad fact is that the UN's campaign to combat racism has become nothing more than the plaything of a collection of undemocratic regimes and their supporters amongst radical NGOs, who want to use the campaign to attack and demonise the Western democracies in general and Israel in particular.

We saw the ugly face of this campaign at the original Durban meeting in 2001, which was dominated by strident attacks upon the US and Israel and by open displays of anti-Semitism. The Palestine Solidarity Committee of South Africa distributed copies of the anti-Semitic forgery *The Protocols of the Elders of Zion*. The conference secretary-general, former Irish President Mary Robinson, said:

> There was horrible anti-Semitism present—particularly in some of the NGO discussions. A number of people said they've never been so hurt or so harassed or been so blatantly faced with an anti-Semitism.

Let me also quote Alan Gold, an Australian NGO delegate to the Durban conference. He wrote:

> I was threatened, spat upon, demonized and denigrated because I was a Jewish delegate. When I tried to give a speech, I was screamed at with the vilest Nazi propaganda I've ever heard. The League of Arab Lawyers were freely handing out cartoons of Hitler with 'If he'd won there would be no Palestinian problem' written all over them. And all the while, the UN officials looked on and said that they could do nothing.

We saw all this yet again at the Durban II meeting in Geneva in 2009, although greater efforts were made to prevent open displays of anti-Semitism on that occasion. Most Western countries either stayed away or walked out—not surprisingly when the
keynote speaker was none other than President Ahmadinejad of Iran, a man whose regime shoots down peaceful demonstrators in the streets of Tehran, who denies that the Nazi Holocaust ever took place and who calls regularly for the destruction of Israel. Many have lamented the fact that the disgraceful proceedings in Durban and Geneva have discredited the essentially worthwhile objective of a UN-led world campaign against racism. Durban and Geneva certainly have discredited that objective, but I would like to consider the question of how worthwhile this objective really is.

Racism is the belief that there are inherent differences in people's traits and capacities due to their race, however race is defined, and that as a consequence racial discrimination—that is, different treatment of people of different races—is justified. Sixty years ago racism was widespread and often unchallenged. Segregation in the United States, apartheid in South Africa, the White Australia policy and colonial rule in many parts of the world were all based on ideas of racial superiority or racial separation. But today segregation, apartheid, White Australia and at least Western colonialism are largely if not completely gone. Virtually all Western countries have laws strictly prohibiting racial discrimination. Tolerance, diversity, multiculturalism and nondiscrimination are the hallmarks of official policy all around the world. Of course, racial prejudice, intolerance and discrimination still exist, but today they lurk on the fringes of political and public life. They are the product of ignorance and fear, not of policy. I therefore question whether a global campaign led by the bureaucracy of the United Nations is really the right way to address the problem of racism today.

My doubts are reinforced when I read the Durban declaration—the document produced which the Durban III conference in New York will shortly be asked to reaffirm. It consists of 26,000 words of ritual denunciation of racism, colonialism, slavery and xenophobia in all their forms, past and present. But as a guide to action it is completely useless. The principal reason for this is the gross hypocrisy of so many participants in the Durban process, both governments and NGOs. All of their wrath is directed at the West, particularly the US and Israel, and at none of the countries where the evils so loudly denounced in the Durban declaration are actually to be found. For example, the declaration condemns slavery as practised by Europeans and Americans in the past, but it does not mention Yemen, Sudan, Mauritania or Nigeria, where, tragically, slavery continues to flourish today. It condemns colonialism but it does not mention Chinese rule over Tibet or Russia's conflicts in Chechnya. It condemns genocide but makes no mention of Sudan's genocidal, racist war against the African peoples of Darfur.

It seems that the Durban conference and its successors, and the angry NGOs who mill around the conference fringes, are only interested in condemning one country—and that is Israel. While the Syrian regime is massacring its own people day in, day out, Israel is nonetheless held up as the arch-villain that is guilty of racism, apartheid, genocide and ethnic cleansing. Anyone who has visited Israel can see what a bizarre distortion of reality this is. There is no official or legal separation of the races in Israel, which has a 20 per cent Arab minority. Jews and Arabs live side by side, they shop in the same shops and they ride on the same buses. There are Arabs in the Knesset and on the supreme court bench. Recently, Dr Fadia Nasser Abu Alhija, an Arab woman, was appointed Professor of Education at Tel Aviv University. Could that
have happened in Syria? Israel takes in more black refugees than the whole of the Arab world put together. Recently, Avi Bari, born in Guinea, became the first African-born officer in the Israeli Defence Force.

Let me make it clear that I support Labor policy on the Middle East, which is in favour of a two-state solution. That can happen as soon as the Palestinians and the Arab states are ready to recognise Israel as a Jewish state and give up their 60-year campaign to destroy it. The UN can and should play a constructive role in bringing about such a settlement. But it will not be able to do so while it allows itself to be dominated by undemocratic regimes intent on demonising Israel as a means of diverting attention from their own oppressive rule.

That is why it is depressing to see yet another international jamboree dedicated to producing empty rhetoric about racism and ritual denunciations of the United States and Israel. Australia should stand ready to join in constructive international action to secure peace in the Middle East. But the government was quite right to decide not to go to Durban III, and I commend the Prime Minister for this courageous decision.

**Learn Earn Legend! Program**

**Senator ARBIB** (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (20:03): I rise tonight to talk about the Learn Earn Legend! Work Experience in Government program which was conducted last week in parliament. This was the second year of the program. The program is designed to give Indigenous students the chance to come to Canberra to see the great opportunities available working in government and in the Australian Public Service. Last year, about 70 parliamentarians participated. This year that number increased to 96 members of parliament and senators hosting students. Twenty-six departments and agencies were also involved in hosting Indigenous students. There were 100 students from across the country in Canberra being hosted in the offices of ministers, MPs and senators from every party. Students had the chance to learn about how government works, experience life in a political office and watch question time, before spending two days in Public Service agencies and departments.

Throughout the week students saw the numerous opportunities that are available to them with a good education and a lot of hard work. We hope that some of these students will decide to come back to Canberra to study and work and become the departmental secretaries, politicians and prime ministers of the future. Students also had the chance to meet a range of Learn Earn Legend! ambassadors during the week, including tennis legend Evonne Goolagong, co-captain of the Gold Coast Titans Scotty Prince and editor of the *Courier Mail*, Kirstie Parker.

The Learn Earn Legend! program aims to encourage young Indigenous people to stay in school and get their training so they can gain great jobs and careers. It is part of the Australian government's commitment to closing the gap on education and employment outcomes for Indigenous Australians. It was also, of course, a great opportunity for members of parliament and senators to work with and meet some wonderful and fabulous young Indigenous Australians and to learn a bit about Indigenous culture—the importance of family and the importance of the land—and something of the hardships that many of these young Indigenous students go through.

In my own office, I was lucky to have Naomi Nelson and Trent Garlett, both from Balga Senior High School in Western
Australia. To hear their stories and to talk to them about their life experiences was, for me, extremely rewarding. During the two days they were in my office we set them a number of policy tasks and talked to them about what they believed was important in the transition from school to employment. Both those students participated as valued members of the staff on those two days, and the work they were able to provide to me was of an extremely high quality. I appreciate the effort that they put in over the two days. I have received the same feedback from members of parliament and senators from all sides of the parliament. This was a very useful exercise, for not just the 100 students and the teachers but also the members of parliament themselves, to learn about some of the experiences that these young people go through.

One of the young men who went through the first program, Frank Lowah, now works for me as part of my staff. He has spent a great deal of time in Canberra and Sydney. He comes from Cairns and is excelling in the job; he is an important part of my team. His career in the parliament started on the work experience program, and I hope he will be the first of many young Indigenous Australians to go through that program and have it provide a pathway into employment with a member of parliament, in a department, in an agency or in another part of the public sector. As a government, the Australian Labor Party has set a target of 2.7 per cent Indigenous employment in the APS. Currently we are at 2.2 per cent, or around that. There are a large number of opportunities inside the Australian public sector for Indigenous Australians to meet these targets. There are graduate traineeships, there are cadetships and there are a large number of scholarships available. We need to ensure that Indigenous Australians understand what is available and have the resources and knowledge required to take up those opportunities. Otherwise, they will be squandered. This program is targeted at doing just that.

This was not an easy program to pull together over the last two years. It took a great deal of work from a number of people and I want to put on the record thanks to those people who have been involved. Can I say to my department, DEEWR: thank you for all the work you have put in to make this possible. Thank you to Robert Griew and Jo Wood for backing the program and giving it the full weight and support of the senior levels of the department. I also thank the staff who worked day in, day out to make it happen—in particular, Jodie Sexton-Bock, Brenda Love, Terri-Lee Amato and Gretl Judd. These are only six members, but there are dozens of members of DEEWR who were involved in making this program happen and ensuring it worked extremely well.

I thank the 16 teachers from across the country who accompanied the students, who took time out of their own busy teaching schedules. They are dedicated to the cause and spent the week in Canberra. I thank them for the work they have done and I hope they also learnt a great deal from it. This year, to improve the course, we put in place training and a seminar for those teachers in the hope that they could gain a greater understanding of the opportunities. The feedback I have received from them has been extremely useful and supportive. Thank you to those teachers for attending and thank you for the support you have given to make this possible. We could not have held this program without you.

I thank our organisational and community partners, including the Australian Indigenous Education Foundation, the AIEF, and in particular Andrew Penfold. I thank Dare to
Lead, which is a school based program operating throughout the country, supporting teachers and principals by giving them the skills to assist Indigenous students. I also thank the Stronger Smarter Institute. People would be aware of Chris Sarra and the great work that he does. Thank you, Chris, for all the support you have given the program. I also thank the National Aboriginal Sporting Chance Association, which operates across the country as well. Thank you for the support you have given us.

Can I personally thank one of my own staff members, Audrey Maag, for the work she has done in making this happen, for all the work she has done dealing with all the little issues and challenges that accompany a program this large and for her personal drive to make sure the program succeeded. I should also thank all the parliamentary staff, ministerial staff, Senate staff and Reps staff for the work they have done in mentoring these students over the week. I know a great deal of effort has gone into it. They have been bringing students into meetings, giving them an insight into the parliament and also talking to them about what goes on in parliament. Thank you for all your support and work. Can I also thank all our ambassadors—Evonne Goolagong, Scotty Prince and the many others who have been involved.

Last but not least, I thank the members and senators who backed this not just by words, not just out of obligation but with a great deal of effort. I appreciate and commend them for the work they have done. They have changed the lives of many young Australians and I urge them to keep in contact, keep mentoring. We look forward to a new crop of young Indigenous students next year.

West African Cocoa Production: Child Labour

Senator MOORE (Queensland) (20:11): I seek leave to speak for up to 20 minutes.

Leave granted.

Senator MOORE: Last month the sisters from ACRATH did their regular visitation and lobbying in parliament. ACRATH stands for Australian Catholic Religious Against Trafficking in Humans. These amazing women have a mission statement which says: ACRATH is committed to working together towards the elimination of human trafficking in Australia, the Pacific and Internationally.

During that visit with the sisters, one thing they asked us to do was to draw attention this week to the 10th anniversary of the signing of the Harkin-Engel Protocol. As a result of that visit, today a notice of motion shared by a number of senators came before the Senate. It said:

That the Senate—
(a) notes the 10th anniversary of the Harkin-Engel Protocol signed in September 2001, designed to encourage voluntary standards for the certification of cocoa production that prohibits and eliminates engagement in the worst forms of child labour, as defined by the International Labour Organization Convention 182 which has been ratified by Australia; and
(b) calls on the Australian Government to:
   (i) be proactive in measures to counter people trafficking or slavery,
   (ii) actively engage in international fora to ensure greater priority for consideration of measures against child slavery and trafficking,
   (iii) work cooperatively to improve traceability of products through the monitoring of their derivation where practical … and
   (iv) cooperate closely with organisations and entities against people trafficking.

The Harkin-Engel Protocol, whose 10th birthday we celebrated, was designed to eliminate the worst forms of child labour endemic to the production of cocoa in the
West African countries of the Ivory Coast and Ghana. The goal then was to do that by 2005. Since the signing of this protocol 10 years ago, and in the six years since it was to have been fully implemented, there has still been widespread trafficking of children for the cocoa industry. It is a horrific story. There are an estimated 1.8 million children still working in the West African cocoa sector and there is desperate need for programs to immediately withdraw children who have been trafficked and provide them with education and support.

At the same time as the chocolate industry has failed to live up to its obligations, cocoa imports have soared from 999,600 metric tonnes in 2001 to 1,222,300 metric tonnes in 2011. Cocoa imports to the US alone are now valued at US$4.3 billion. That is a terrifying amount of cocoa and an amazing amount of chocolate. The real focus is that we need to work to stop the trafficking and exploitation for something that gives us so much joy. Remediation programs, such as those talked about in Harkin-Engel, alone are not a solution. The chocolate companies responsible must address the issues of trafficking and its causes. One of the things that drew attention to the protocol was knowledge about the people behind the stories and looking at countries in Africa where this is important. The country of Burkina Faso, which is a small, poor, water-dry country in Africa, is supplying child labour to unscrupulous cocoa producers in its southern neighbours Ivory Coast and Ghana. In clear breach of the Harkin-Engel Protocol and International Labour Organisation conventions children are trafficked and forced to labour and they do not go to school, use hazardous tools, live in close proximity to toxic chemicals and are locked up when they are not working.

In 2010, an investigative journalist from the BBC, Paul Kenyon, revealed the extent of child labour in the chocolate trade. In Kenyon's *Panorama* investigation 'Chocolate: the bitter truth', an important documentary and one that I urge people to follow up, we met 12-year-old Ouare Fatao. Fatao was 11 when he was sold by his uncle to traffickers. Fatao was taken from his country, Burkina Faso, to work in the neighbouring country of Ghana to pick cocoa. When Mr Kenyon found Fatao in a village in Ghana a year later he still had not been paid a single penny for his work. The money went to his cocoa masters and to the uncle who sold him. These practices were supposed to end after the signing of the Harkin-Engel Protocol. The protocol was named for two American politicians: Tom Harkin, a senator from Iowa, and Eliot Engel, a congressman from New York. On page 4 of the protocol, which these two politicians helped establish and witnessed, it states:

... the commitment of leaders of the cocoa and chocolate industry ... to eliminate the worst forms of child labor from this sector as a matter of urgency ... The six points that make up the Harkin-Engel Protocol and that were agreed to originally by the chocolate industry included a public statement of the need for and terms of an action plan: the industry was obliged to acknowledge publicly the problem of forced child labour in West Africa and had to continue to commit resources to addressing it. The chocolate industry agreed to the formation of multisectoral advisory groups: both an advisory group and a consultative group were to be established. The chocolate industry agreed to a signed joint statement on child labour to be witnessed at the International Labour Organisation: this statement, made by the major stakeholders, recognised the need to end the worst forms of child labour, again as a matter of urgency. The chocolate industry agreed to a
memorandum of cooperation that would establish a joint action program of research, information exchange and action to enforce the internationally recognised and mutually agreed upon standards to eliminate forced child labour. The chocolate industry agreed to the establishment of a joint foundation to oversee and sustain efforts to eliminate the worst forms of child labour, or WFCL: this private, not-for-profit foundation would be governed by a board comprised of industry and other non-government stakeholders. The foundation would run field projects and operate as a clearinghouse on best practice. Finally, the chocolate industry agreed to build toward credible standards: it was agreed in 2001 that by 1 July 2005 the industry, in partnership with other major stakeholders, would develop and implement credible, mutually acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law that cocoa beans and their derivative products would be processed without the worst forms of child labour.

The chocolate industry assessed the implementation of Harkin-Engel Protocol in 2006 and 2011. The assessors, Tulane University in the US, found that the industry failed to fully implement any of the six promised areas of action. Tulane University's Payson Centre for International Development reported that industry funded initiatives have had little impact on the industry to date and that less than five per cent of children and caregivers reported contact with any kind of child labour remediation services. The report concluded the most effective way of eliminating forced and child labour in cocoa production was using independent, third party certification systems such as Fairtrade. Already six years past the agreed deadline, few chocolate companies have taken substantial steps to remove child labour from the cocoa supply chains and adopt third party certification. It is important to note that some have made progress in the US. They should be celebrated and encouraged to do more.

Whilst the 10-year agreement that was put by the protocol does seem to have been a sorry process, in Australia there have been more promising efforts. Widespread attention in Australia to child labour exploitation in cocoa production did not really commence until 2007-08, with the launch of Stop the Traffik's Australian chapter and World Vision's important Don't Trade Lives campaign. World Vision has published on its website a very important document which talks about what has happened in the 10 years since the Harkin-Engel protocol was signed. That document talks about what has happened across the world, but we can look at what has occurred in our own country. It includes a specific case study of the Don't Trade Lives campaign taking on Australian 'big chocolate', which started in 2008. World Vision launched its campaign to raise awareness that human trafficking had become the third-largest transnational organised crime and to inspire action across our community to stop this crime. With the encouragement of other NGOs and overseas allies, Don't Trade Lives launched with a focus on labour exploitation in the cocoa industry in Africa. It started with a news story, looking at mass media and at child trafficking in Ghana and Ivory Coast. We built from that, developing discussions with industry bodies, in particular the Confectionery Manufacturers of Australiasia, CMA, to explain to them what action World Vision Australia wanted to see taken to address the problem. The first phase of the Don't Trade Lives campaign was called 'big chocolate', which is a pretty catchy title and one which I have to admit grabbed my attention almost immediately. The 'big
chocolate' campaign sought to see the Australian chocolate industry commit by 1 December 2008 to a detailed and fully funded plan of action that would stop labour exploitation in cocoa production within 10 years, and also sought to mobilise pressure on the chocolate industry from the Australian public, other NGOs, media, members of parliament and anybody else who wanted to be engaged, because the important thing was that this was a community based campaign.

At the heart of the call for 'big chocolate' to say yes to addressing labour exploitation in cocoa production was World Vision Australia's ambition to see that there could be fair prices paid to cocoa farmers in the industry. The 'big chocolate' campaign set out to achieve its goal by directly targeting the industry—through Confectionery Manufacturers of Australasia, representing cocoa and chocolate manufacturers and importers—and major retailers and urging them to stock ethically certified chocolate as well as educating and engaging consumers on choosing such chocolate and letting the industry and retailers know that they wanted action.

In the initial phase of the Don't Trade Lives campaign, more than 25,000 Australians supported action targeting the chocolate industry, and one of them was me. We wrote letters to the manufacturers, we talked with the producers and we went to visit chocolate shops, a task which I enjoyed! I had to overcome some shyness, I admit, when I went to chocolate producers, when I had been purchasing their products with glee, to talk to them and hand over information about the whole issue of trafficking and why we needed action.

One of the highlights of the Don't Trade Lives 'big chocolate' phase was the Trek against Trafficking, which brought together members of World Vision's youth movement, Vision Generation, in Canberra. I am sure you remember that Trek against Trafficking, Madam Acting Deputy President. Those young people talked with parliamentarians in this place about what was going on. They also, I remember, brought samples of chocolate, which I think drew attention to their campaign! Vision Generation members then returned to their own communities, where they continued to support the Don't Trade Lives 'big chocolate' campaign.

While the 1 December 2008 original deadline came and went without a clear response from CMA, we certainly did not despair, and we continued to work closely with the industry to lay the groundwork for significant wins in subsequent years and months. Most notable—and a very big day for the campaign—was the announcement in August 2009 that Cadbury would start sourcing Fairtrade certified cocoa from Ghana for its Dairy Milk chocolate. It was the first of the big chocolate companies to break ranks. Mars and Nestle in Australia have followed with similar commitments since then. We believe that Don't Trade Lives has contributed also to increasing the demand for and availability of Fairtrade chocolate, including gaining significant commitments from the major retailers.

The momentum of the campaign has grown, with hundreds of thousands of Australians now having taken Don't Trade Lives actions targeting the chocolate industry. The campaign's effectiveness was again demonstrated clearly in March 2010, when Don't Trade Lives action targeted Arnott's cocoa sourcing for chocolate biscuits. As soon as the action was launched—and it was launched across the country—Arnott's agreed to come back to World Vision Australia within six months with a plan for sourcing ethically certified cocoa from West Africa. I am very pleased to say that Tim Tams are now being...
produced by and large with ethically sourced
cocoa. This was a major breakthrough.

We were able to galvanise action across
the community. It is important to see that
people can work together to achieve action.
It is also important to acknowledge the work
that was done by the industry, the
confectionery group, to respond to the
demand that was put forward by the
community. We should remember that a lot
of this can be traced back to the efforts of
two men within the American parliament
who thought they could make a difference.
The Harkin-Engel cocoa protocol has
produced much discussion and data on
hazardous child labour, but it was not able to
produce enough action among the American
public and among American manufacturers
to get the kinds of changes that we have been
able to see in Australia. But we do have to
pay credit to Mr Harkin and Mr Engel for
starting the process.

We need to understand that, whilst there
have been deep disappointments expressed,
especially by some of the groups who were
so excited to witness the signing of the
Harkin-Engel Protocol in 2001, there is
genuine momentum in the Tulane University
finding that recommends product
certification as providing credible assurance
that cocoa is now being produced in
accordance with ILO convention 182 (2011).
Companies have been incrementally scaling
up their consumption of ethically certified
cocoa, which provides us with hope but no
promise from the industry and global cocoa
production as a whole. NGOs and
campaigners have been at the forefront over
the last 10 years telling the world that
certified cocoa without worst forms of child
labour, or WFCL, could only mean product
certified cocoa issued by standard based ISO
65 accredited certification bodies. I know
that sounds complex, but it is important that
we look at the whole range of issues.

Child trafficking exists because of greed
and poverty. We need to be able to have
clear certification of the cocoa product that
producers use. We need to have certainty
that we are not enjoying something such as
chocolate at the expense of horrific stats like
those we have seen about the impact of child
slavery in the countries of Africa. We need
to have the appropriate certification.

This is a cross-community, cross-producer
campaign, and we can achieve success. To
the sisters of ACRATH, who came to draw
our attention to this: we have accepted the
challenge. I think it is important that we
parliamentarians watch what is being done in
this area, take on the example of Mr Harkin
and Mr Engel from the States and bring these
issues into our parliament. Today's Senate
motion looked at the kinds of things that our
government can do. We also need to ensure
that we individually take action and we listen
to the people in our community who have
taken up the battle in our country against 'big
chocolate'.

Yesterday was 19 September, and that
was the 10th anniversary of the Harkin-
Engel Protocol being signed. For the next 10
years we must continue with this action so
that we can enjoy chocolate openly, as we
often do, knowing that together we have
made a difference. I know that World Vision
particularly targets the time around Easter,
but it is not only Easter when we eat
chocolate. We have seen success, we
continue with this issue and I hope that we
can come back many times and show greater
success in this area.

Member for Dobell

Senator FIERRAVANTI-WELLS (New
South Wales) (20:29): by leave—In recent
weeks I have been detailing in the Senate
matters concerning the member for Dobell
and his disgraceful behaviour. I have raised
concerns about him being missing in action
and about being the member you have when you do not have a member. Poor petal! It appears that I have upset him. In the Central Coast Express Advocate of 19 September, Mr Thomson denies he is Dobell's absentee MP. His excuse is that his appearance at events would ruin them for organisers because of the intense media scrutiny. What a poor excuse. The fact is that he is afraid of media scrutiny. He knows the questions about his conduct are mounting and he does not want to answer those questions.

Last week we were told that he would be making a statement to the parliament. We are all still waiting. And he does have some very serious questions to answer. This is the man who has denied abusing the Salvation Army worker at the 'No pokies' tax rally at Mingara on 15 August, despite witnesses asserting the opposite. This is the man who tried to lobby a Central Coast firm to give his ex-wife a job at the same time as they were seeking federal funding for a jobs incubator. But, when things did not go his way, he got nasty and started making threats. This is also the man who set up Coastal Voice, supposedly as a community group, the principal activity being a volunteer aged-care hotline. In reality, it was just a front to get him preselected and the Health Services Union picked up the tab. This is the man who subsequently lied about quitting from Coastal Voice, when the New South Wales Fair Trading records still show him as a public officer of the association. As we know, Coastal Voice is currently in the process of having its registration cancelled. We will watch with interest as this matter progresses.

Then of course there was this little gem in the Central Coast Express Advocate of 26 August, entitled 'Carpark Quarrel'. I quote:

DOBELL Federal Labor MP Craig Thomson can't take a trick. He has even come under fire over parking his car.

A parking spot outside his electoral office at Westfield Tuggerah originally was allocated for parents with prams.

But it has been rebranded as 24-hour Commonwealth Government parking—sparking controversy on Sydney radio.

Yet another incident, entitled 'Bus owner claims MPs owe $40,000', was reported in the Central Coast Express Advocate on 26 August:

EMBATTLED Dobell MP Craig Thomson and his Robertson counterpart Deb O'Neill are denying claims they owe almost $40,000 for buses they used during last year's election campaign.

The bill is for damage allegedly caused to the outside of the vehicles by advertising for the MPs.

Ms O'Neill has been billed $12,800 while the owner claims Mr Thomson owes $25,280 for ad damage and mechanical repairs.

The article says that the ALP is disputing the claim by the owner of the buses. We will watch how this one travels.

Of course, as we know, this is the man who, together with Labor heavyweight Michael Williamson, has well and truly abused his position in the Health Services Union through the misuse of union fees for prostitutes, trips and all sorts of other things which I am sure the Victorian and NSW Police will elicit.
This evening I would like to concentrate on the victims of this abuse of funds and say this: if it is happening in the HSU, you can bet your bottom dollar it is happening in other unions. Only time will tell how far the stench from the HSU will extend.

The Australian Financial Review of 17 September, in an article entitled 'Unions, greed and power—Labor's fatal flaw', stated: Corruption and an ugly factional brawl go to the heart of the federal government's great weakness. The article's headline says it all: Gross evidence of self-entitled union officials whose pay wildly exceeds expectations will damage the union movement and a besieged ALP.

As the article correctly points out:

Let's be clear about the fallout so far from the allegations of kickbacks, and of former national secretary Craig Thomson using a union credit card to buy sex from prostitutes. The allegations have been denied but they have damaged the union "brand". The damage comes because unions have been hanging on for years about "excessive" executive salaries and the like, but here are allegations of selfish rorting against a union that mostly represents low-paid hospital workers including cleaners and people pushing trolleys around wards.

Unions are not supposed to revolve around a culture of entitlement. Not self-entitlement anyway. They are supposed to ensure that workers get the entitlements they deserve.

Whilst membership of the HSU has been built around a nucleus of hospital staff and psychiatric care staff, it has gone much further to include ambulance officers, aged-care workers, community health workers, workers in the disability sector, hospital scientists, mental health workers and drug and alcohol workers, many of whom I have had the privilege to meet in my role as shadow minister for ageing and shadow minister for mental health. The website makes two interesting points. Firstly, that the Health Services Union has a rich and proud history as Australia's most representative health union. But, sadly for the membership, the likes of Craig Thomson and Michael Williamson have well and truly tarnished its reputation. Secondly, it states that there has been one consistent aim over the years: to act as powerful collectives of workers seeking to secure the best possible wages and conditions in their industries.

Given that we are dealing with some of the lowest paid workers in the health sector, a fact which Mr Thomson himself acknowledged in his maiden speech, the headline of the Australian, dated 15 September, is 'Hard-up members pay dues but life's good at the top'. It goes on: WHILE aged-care and ambulance workers earning as little as $15 an hour stump up for Health Services Union membership fees, union boss Michael Williamson is living the good life. This is a man who is rumoured to receive moneys from a variety of sources, including: a quarter of a million dollars a year as general-secretary of HSU East; $20,000 as president of the national branch of the HSU; tens of thousands of dollars in fees for company directorships; and $34,300 for sitting on the board of the state water corporation, a position that he was appointed to in the dying stages of the New South Wales Labor government.

The article states:

...the head of HSU East—which predominantly oversees the union's NSW operations, also owns one-third of IT company United Edge, which received $2.36 million in HSU East contracts in the last two years to last September. The article goes on to say:

While many of the HSU's 60,000 members working in health and aged-care receive modest incomes, Mr Wilkinson has been living well. According to property searches, he bought a $522,000 property on the NSW central coast last year. Titles records show that property was
adjacent to a lot he purchased for $470,000 five years earlier.

Mr Williamson is understood to have recently built a new house on the site, worth about $700,000.

He receives undisclosed payments for his role as non-executive director of First State Super. And as chairman of public sector financial services provider State Government Employees Credit Union, he was one of seven officials collectively paid $2.26m last year.

Mr Williamson is chairman of SGE and has been a board member since July 2003. It is interesting to note that his Maroubra property is mortgaged to the SGE Credit Union Limited. Not surprisingly, Mr Thomson and his wife also have a mortgage with SGE Credit Union. It would be interesting to note the terms of any loans made to either Mr Thomson or Mr Williamson that gave rise to their respective mortgages and whether it was on the same terms as other health industry workers received or at mates' rates.

The 15 September article concludes with the following:

It was not clear whether he personally benefited from those directorship payments or whether that money was handed to the HSU.

So let us look at some of these directorships.

Mr Williamson was a director of Private Hospitals Superannuation Pty Ltd from 8 January 1996 until 22 January 1997. Then there is J. & M. Williamson Investments Pty Ltd. Mr Williamson and his wife have been directors since 13 November 2007. He has also been a director of Imaging Partners Online Limited since 7 May 2008.

Since 11 December 2007, he has also been a director and the secretary of United Edge Pty Ltd. The registered office and principal place of business of United Edge is Level 2, 109 Pitt Street Sydney, which coincidentally is the registered office of HSU East. A Sydney Morning Herald article of 17 September details various payments that have been made to United Edge, which supplied computer and IT services to the HSU. As the article says, United Edge is based in the HSU's headquarters. It pays no rent and it won the IT contract without going to tender. The article outlines starkly the modus operandi of this man, now a former ALP president and vice-president:

One of his colleagues on the First State Super board is Peter Mylan, the assistant secretary of the New South Wales branch of the HSU, who Williamson says approved the union's purchase of the IT system from his boss's company. The Herald has learnt that for more than a year union members were paying twice for software systems. A Victorian IT company, which had the contract to provide software to maintain a membership management system, was being paid $15,000 a month to supply the Victorian branch of the HSU. But United Edge was also submitting bills for the same service. Since the departure of the previous IT company, which billed the HSU around $140,000 a year, the payments to United Edge are topping the million-dollar—a tenfold increase.

Then the article talks about the free advertising in the union's newsletters to spruik phone deals for members. It goes on about other party related transactions. The article goes on to list a litany of conflicts of this 'million dollar man'.

More recently, on 1 July, Mr Williamson was appointed director of Health Super Financial Services Pty Ltd. Mr Thomson served as National Secretary of the HSU from 2002 until he resigned on 14 December 2007. The fate of Mr Thomson and his mentor Mr Williamson are inextricably wound up in an ever increasing web of abuse of union funds and alleged mismanagement.

Last week, the Sydney Morning Herald reported that Mr Williamson and Mr Thomson allegedly received secret commissions from a major supplier to their union. The two men had previously been provided with American Express cards by John Gilleland, who runs a graphic design
business. The credit cards were issued in the names of Mr Thomson and Mr Williamson but were attached to Mr Gilleland's account. The Sydney Morning Herald article of 17 September states:

At an HSU function this year, Gilleland's wife, Carron, privately complained to senior union officials that Williamson had "run amok" with the credit card. According to one official, Carron Gilleland said, 'He even paid his private school fees on it" and "this was not part of the deal". Offering or receiving a benefit as an inducement to act in a certain way in business dealings may constitute a criminal offence.

The article reports that, according to the HSU's accounts for 2009-10, John and Canon Gilleland received about $680,000 a year to produce 10 issues of the union's newsletter, Health Standard. These figures were up to 10 times the amount other unions paid for similar things, industry sources said. Obviously, the Australian Labor Party has a long and unhappy history with printing companies. I seem to recall Offset Printing and the end of other Labor luminaries.

The Gillelands too have an interesting corporate history. The Sydney Morning Herald article of 17 September states:

The Health Standard's producer, John Gilleland, has a colourful past. In 1984 he and his brother, Ian, were arrested by federal police over their alleged role in using their printing company to produce counterfeit German currency. The quality of the notes was so good that they were given a seven out of 10 rating by the Reserve Bank. While John Gilleland was acquitted by a jury on 1986, at a subsequent trial, Ian was found guilty and sentenced to five years jail.

Undeterred, John Gilleland became director of Edley Pty Ltd in 1989 and his wife became a director in March 1993. In March 1993 he also became a director of Carron McDonald and Associates Pty Ltd. John and Carron Gilleland became directors of another company, Communigraphix Pty Ltd—the company in question—in March 1996 and have been directors since that date. In 1997 its principal place of business was located at 142 Avalon Parade, Avalon. Then in November 1998, the principal place of business of Communigraphix became a lovely waterfront property located at 156 Hudson Parade and overlooking Clareville Beach on the northern beaches of Sydney. Clearly, the printing business was paying well. In November 1998, he also became a director of Baxter Manning Group Pty Ltd. In February 2001, this company was deregistered and he ceased to be a director. In 1999, Edley Pty Ltd subsequently went into liquidation with the Supreme Court appointing a liquidator. The company was deregistered in December 1999. Despite this financial setback, the principal place of Communigraphix was moved to 909 Barrenjoey Road, Palm Beach, which is a lovely two-storey house overlooking Careel Bay and Pittwater. It is clear that by this stage the printing business was paying very well. Then, in January 2008, John and Carron Gilleland were appointed directors of another company, CGX Media, also located at the Palm Beach abode.

The article concludes:

Meanwhile, some of the HSU rank and file, among the lowest paid of all unionists, wonder where their $570 annual membership fee is going. Many contacted the Herald during the week to express their concerns about the unchecked excesses. No doubt the Victorian and NSW police will investigate these alleged 'secret commissions' and shed some light on it.

Of course, the latest is the disaffiliation of the HSU from the ALP, clearly designed to distance the Gillard government from the increasing quagmire that is now the Thomson affair, which was so starkly described by Kathy Jackson on Lateline the other evening as 'some scene from Married to the Mob'. She said:
It's just ridiculous. You could sell tickets to this.

Ms Jackson rightly points out that her members want answers and that Mr Thomson and others are not giving those answers, but there is no sign that this will change in the foreseeable future.

But, alas, I have deviated for a considerable time from my theme of 'Who is representing the people of Dobell?' On the last occasion, I foreshadowed an event at the new Soldiers Beach surf club on 16 September. This club cost $3.5 million, with the federal government funding $2.5 million. But was the member for Dobell there along with other Labor luminaries? No, of course not. He sent his apologies, despite it being a non-sitting day. It was a pity that Mr Thomson was not there to hear about the great work that the club does and, most especially, their Sun, Surf and Safety campaign and their Drink and Sink campaign. I am sure that Mr Thomson must be having the odd sinking feeling himself at the moment.

Then there was a No Carbon Tax Rally last Friday organised in Dobell, where again that sinking feeling was on show. Despite the 24 hours notice, a vocal group turned up to assemble at the Caltex-Woolworths service station near the Westfield Shopping Centre for a march to the vicinity of Craig Thomson's office, located in the Westfield Shopping Centre, only to be met by security men in dark suits. Clearly, these men from Westfield were there to protect Mr Thomson and preclude the protesters from exercising their democratic right to protest, or at least to protest in the vicinity of Mr Thomson's office. As if this were not enough, we also had the local constabulary out in force—yes, three cars, to be precise. In the end, the protest took place on a grassy area adjacent to the entry to the Westfield Shopping Centre, much to the delight of the passing motorists who joined in the spirit of protest as they shouted chants of support from their cars. Back to that sinking feeling. The message was clear from the banner 'Labor MPs choose your electorate and survive or go with the sinking PM' or this one:

Craig, Quit NOW become a national hero!

For your family, your electorate and the nation.

Now they are using you. Tomorrow they will forget you.

Despite this salutary advice, Craig Thomson did not appear. I assume he heard us, but he chose not to attend and listen directly to the concerns of people protesting about the impact of this toxic tax on his electorate.

Back in the days of Coastal Voice, he was all about seeking 'opinions of central coast residents on key community issues'. Not so now. Having become the member for Dobell on the back of misleading conduct and having enjoyed the spoils of victory on the back of the hard-earned union dues paid by low-paid health workers, he does not have time to listen to community views anymore. He is too busy dodging the media and the hard questions about his abuse of union funds.

Mr Thomson, when will this self-imposed exile end? Does this mean that you will not be attending the round of end-of-year school presentations in Dobell? I understand that there are 47 schools in the electorate of Dobell. I will be very surprised if you attend one school presentation, the way you are going.

Mr Thomson is indeed missing in action. The people of Dobell do not have a member at the moment, and I suspect that, given the mounting controversies, it will be a long time before Craig Thomson returns to represent his constituents full time.

Senate adjourned at 20:49
The following answers to questions were circulated:

**National Broadband Network**

(Question No. 665)

Senator Abetz asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 24 May 2011:

(1) Has the Government decided to conduct a National Broadband Network advertising campaign; if so: (a) the rationale; (b) the budget; and (c) the length of the campaign.

(2) Have any companies and/or agencies been engaged in connection with this campaign; if so: (a) which companies and/or agencies; (b) what is their role; (c) by which procurement method were they chosen; and (d) how much will they be paid.

Senator Conroy: The answer to the honourable senator's question is as follows:

(1) No.

(2) See answer to question 1.

**Liquefied Natural Gas**

(Question No. 704)

Senator Siewert asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 22 June 2011:

(1) Is the Minister aware of recent announcements from Shell and Woodside that they are proceeding with the development of floating liquefied natural gas (LNG) processing facilities in their respective Browse Basin (Prelude) and Timor Sea (Sunrise) fields.

(2) Is the Minister aware that Woodside has rejected appeals from the East Timor Government to build a land-based LNG processing facility on Timor, in favour of adoption of floating LNG technology for its Sunrise field.

(3) Is the Minister aware that in rejecting the appeals of the East Timor Government, Woodside has stated that $13 billion in benefits will flow to the East Timorese despite the adoption of floating LNG facilities.

(4) Given that in November 2010, Senator Conroy stated that, 'The Minister for Sustainability, Environment, Water, Population and Communities will make his decision on whether or not to approve development of an LNG [gas] precinct at James Price Point only … [if] satisfied that the requirements of the EPBC Act [Environment Protection and Biodiversity Conservation Act 1999] and strategic assessment terms of reference have been [met]. This includes being satisfied that ‘he is in possession of a full and comprehensive suite of information’. Among other things this suite of information must include an assessment of possible sites outside the Kimberley':

(a) is the Minister aware of the superficial, biased and out-of-date assessment of LNG processing options outside the Kimberley, including floating LNG, contained within the strategic assessment report (SAR);

(b) is the Minister aware that most of the SAR's analysis of the floating LNG option and other options outside the Kimberley is derived from the Department of Environment, Water, Heritage and the Arts (DEWHA) report by consultants GHD Ltd which the previous Minister (Mr Garrett) described as, '[A] desk top review…not a comprehensive nor definitive analysis of these sites. I am aware that additional investigations in relation to alternative sites are likely to be necessary';
(c) is the Minister aware that these additional investigations never occurred; and
(d) as the floating LNG and other options outside the Kimberley have not been adequately addressed in the SAR, will the Minister require a full and reliable analysis of options outside the Kimberley prior to making his decision on whether or not to approve the gas precinct at James Price Point; if not, how will the Minister satisfy himself that he has in his possession a full and comprehensive suite of information upon which to base his decision.

(5) Under the published Terms of Reference for the joint Commonwealth-Western Australia Governments strategic assessment of a plan for a common-user LNG natural gas hub precinct to service the Browse Basin gas field, at section 4, dot point 7, there is a requirement for, 'an analysis of technically and economically viable gas processing options outside the Kimberley, focussing on locations that already have substantial industrial infrastructure, inclusive of floating LNG':

(a) does the Minister intend that this requirement is met prior to making his decision on whether or not to approve the gas precinct proposed for James Price Point; if not, why not;
(b) is the Minister aware of the major industrial port expansion works currently underway and planned at Port Hedland in the Pilbara region of Western Australia, to cater for more and larger ships;
(c) is the Minister aware that the Port Hedland Shire Council passed a resolution supporting the location of a Browse LNG processing facility at Port Hedland; and
(d) is the Minister aware that SAR rejects Port Hedland on the grounds that it does not have deep enough water or high enough land, even though both those claims are patently false.

(6) Under the Endorsement Criteria, 'Attachment C' of the Strategic Assessment Bilateral Agreement, it states that the Minister, in determining whether or not to endorse the Plan: will have regard to the extent to which the Plan meets the Objects of the EPBC Act. In particular, that it:
• protects the environment, especially matters of National Environmental Significance;
• promotes ecologically sustainable development;
• promotes the conservation of biodiversity; and
• provides for the protection and conservation of heritage.

Accordingly, the Plan should:
- prevent actions from being taken in any location that have an impact on matters of National Environmental Significance or of high biodiversity or heritage value [unless unavoidable];
(a) given this ministerial endorsement criteria, and the failure of the SAR to adequately address alternative locations to a James Price Point site, how will the Minister make his decision in accordance with the endorsement criteria;
(b) the ministerial endorsement criteria also highlights the importance of the Plan incorporating the principles of ecologically sustainable development, including the precautionary principle and, 'in particular, intergenerational equity, in relation to areas containing matters the Minister considers have a high likelihood of being potentially eligible for listing as matters of National Environment Significance (sic), will also be considered';
(i) given this criteria and the existence at James Price Point of a wide range of matters of national environmental significance, including a range of values likely to result in National Heritage listing of the area, all of which will be damaged by the project if it proceeds, how will the Minister ensure that intergenerational equity is upheld in this area,
(ii) when the above criteria was first drafted by the Commonwealth, did it originally say, 'potentially eligible for listing as National Heritage'; if so, why, and at who's instigation, was it changed.

(7) Given the high level of greenhouse gas emissions planned to be released by the Browse LNG project if it proceeds at James Price Point, has the Minister been advised by his department of the likely
relative life cycle greenhouse gas emissions of floating LNG technology as compared to piping to a land-based gas processing facility; if so, what was that advice.

Senator Conroy: The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

(1) Yes.

(2) The Minister with portfolio responsibilities for resources and energy, the Hon Martin Ferguson AM MP, the Minister for Resources and Energy is aware that the Sunrise joint venture has selected floating LNG as the preferred development option for the greater Sunrise gas fields rather than alternative development options including a pipeline to an onshore processing plant in Darwin or a pipeline to an onshore processing plant in East Timor.

(3) The Minister with portfolio responsibilities for resources and energy, the Hon Martin Ferguson AM MP, the Minister for Resources and Energy is aware that on 21 February 2011, the then CEO of Woodside, Mr Don Voelte stated that "floating LNG ... delivers the best value to our shareholders and the best revenue to the Australian and Timor Leste governments. Timor Leste would receive $13 billion for its 18.1 per cent share of the resources that includes an upwards adjustment from approximately $6 billion due to revenue sharing agreed under the 2007 [Certain Maritime Arrangements in the Timor Sea] CMATS treaty. Australia would receive $19 billion for its 81.9 per cent share of the resources".

(4) (a) to (d) The WA Government is still finalising the draft strategic assessment report and Plan for the Browse LNG Precinct. Once finalised and submitted to the Minister for consideration, he will determine whether the proponent has adequately addressed the strategic assessment terms of reference and endorsement criteria. The Minister's decision on whether or not to endorse the plan for the proposed precinct will only be made following the review of all the information required.

(5) (a) to (d) The strategic assessment terms of reference requires an analysis of technically and economically viable alternatives, including those outside the Kimberley. It is the responsibility of the WA Government to ensure feasible alternatives have been explored. The final strategic assessment report must adequately address the strategic assessment terms of reference and endorsement criteria. The Minister's decision will be whether to endorse the Plan for the site presented to him by the WA Government.

(6) (a) As in (5a - d) above.

(7) The WA Government are still finalising the draft strategic assessment report and Plan. The Minister will only make a final decision on whether or not to approve the proposed precinct once all environmental matters relevant to the terms of reference have been appropriately examined and understood.

**Defence: Staffing**  
(Question No. 746)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:
With reference to the White Paper and the Strategic Reform Program 'Indicative Workforce Implications – Military Workforce': For the period 1 January to 30 June 2011, what reduction has there been in the number of personnel, including part-time, employed in implementing:

(a) efficiency improvements;
(b) civilianisation; and
(c) support productivity improvements.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

With reference to the White Paper and the Strategic Reform Program 'Indicative Workforce Implications - Military Workforce', for the period 1 January to 30 June 2011:

(a) Implementation of the efficiency improvements component of the Strategic Reform Program, which includes Shared Services initiatives and business improvement within Groups and Services, has led to a reduction of 72 Average Funded Strength.

(b) Civilianisation is part of the workforce reform element of Workforce Reform and Shared Services and forms part of Defence's move to establish the best mix of its non-combat-related workforce and to have the military workforce primarily undertake combat or combat related roles. Civilianisation requires the disestablishment of a military position, and the establishment and recruitment to an Australian Public Service position. Where the position is being filled by the military member moving to the Australian Public Service under Section 72, there is no discontinuity in the positions being established/ dis-established, and filled. In some cases the Australian Public Service position is filled (briefly) before the military position is dis-established in order to facilitate a hand-over of the role to an incoming Australian Public Service employee. In certain circumstances no hand-over by the current military member is required, and the military position is able to be dis-established prior to recruitment of the Australian Public Service position. In this year there has been a minor lag on the dis-establishment of military positions behind recruitment to the newly established Australian Public Service positions, resulting in a slight increase in Australian Public Service positions ahead of reduction in Average Funded Strength positions. A phased implementation has realised 126 Average Funded Strength reductions across the 2010/11 financial year.

(c) Implementation of the support productivity improvements component of the Strategic Reform Program is scheduled to commence in financial year 2014-15. This program is a continuous improvement plan, following on from the completed implementation of the other Workforce and Shared Services components of the Strategic Reform Program.

Defence: Staffing
(Question No. 750)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

With reference to the White Paper and the Strategic Reform Program 'Indicative Workforce Implications – Civilian Workforce': For the period 1 January to 30 June 2011, what reduction has there been in the number of Australian Public Service staff or contractors employed in implementing:

(a) efficiency improvements;
(b) civilianisation;
(c) support productivity improvements; and
(d) contractor conversion (reduction to contractors).
Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

With reference to the White Paper and the Strategic Reform Program 'Indicative Workforce Implications - Civilian Workforce', for the period 1 January to 30 June 2011:

(a) Implementation of the efficiency improvements component of the Strategic Reform Program, which includes Shared Services initiatives and business improvement within Groups and Services, has realised 138 reductions in the number of Australian Public Service (full-time equivalent) employees.

(b) Civilisation forms part of Defence's move to establish the best workforce mix of its non-combat-related workforce and to have the military workforce primarily undertake combat or combat related roles. Implementation of the civilisation component of the Strategic Reform Program, will increase Australian Public Service (full time equivalent) positions by 128 across the 2010/11 financial year. In this year there has been a minor lag on the dis-establishment of military positions behind recruitment to the newly established Average Funded Strength positions, resulting in a slight increase in Australian Public Service positions ahead of reduction in Average Funded Strength positions.

(c) Implementation to support the productivity improvements component of the Strategic Reform Program is scheduled to commence in financial year 2014-15. This program is a continuous improvement plan, following on from the completed implementation of the other Workforce and Shared Services components of the Strategic Reform Program.

(d) Implementation of the contractor conversion component of the Strategic Reform Program, has led to 157 conversions undertaken in the period 1 January to 30 June 2011.

Defence

(Question Nos 764, 765 and 766)

Senator Johnston asked the Minister representing the Minister for Defence, the Minister representing the Minister for Defence Science and Personnel and the Minister representing the Minister for Defence Materiel, upon notice, on 5 July 2011:

For the period 1 January to 30 June 2011, for each agency within the responsibility of the Minister/Parliamentary Secretary: (a) what communications programs were undertaken or were planned to be undertaken; and (b) what was the total spend in each communications program.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(a) and (b) During the period 1 January to 30 June 2011, Defence undertook or planned to undertake the following communications programs. The expenditure for each communications program is listed.

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<tr>
<th>Group/Service</th>
<th>Communications Program – 1 January to 30 June 2011</th>
<th>Total Spend ($)</th>
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<tr>
<td>Army</td>
<td>Army Face book Advertising</td>
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<td>Army Women's Forum</td>
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<th>Group/Service</th>
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<td>Organisation</td>
<td>Conference and Trade Expo 2011</td>
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<th>Group/Service</th>
<th>Communications Program – 1 January to 30 June 2011</th>
<th>Total Spend ($)</th>
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<tr>
<td>Defence Support Group</td>
<td>Defence Support Group Industry Consultation on 6 May 2011</td>
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<td>Defence Procurement Conference in Adelaide end June 2011</td>
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<td>Group/ Service</td>
<td>Communications Program – 1 January to 30 June 2011</td>
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<td></td>
<td>Future Acquisition Strategy for Comprehensive Maintenance, Garrison Support and Base Services Industry Consultation cost</td>
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<td>Notification of use of Training Areas</td>
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<td>Honours and Awards Newsletter</td>
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<td>Pest Control Programs – advertising and signage</td>
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<td>Point Cook Remediation Project (Advertisement for Community Consultation activities)</td>
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<td>Reinvestment in Australian Defence Force Specific Nutritional Capability at DSTO Scottsdale (Advertisement for Community Consultation activities)</td>
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<td>Defence Site Fortuna in Bendigo (Continued maintenance of Fortuna Property Disposal Project website)</td>
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<td>Columboola Community Consultation (World War II Columboola Chemical Munitions Destruction project communication program including newsletter production and distribution, community consultation meetings at Cameby, stall at Chinchilla Show, website maintenance and door knocking to local residents)</td>
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<td></td>
<td>Uni Online Advertising</td>
<td>$1,280</td>
</tr>
<tr>
<td></td>
<td>Graduate Recruitment (including, career fairs, screening sessions, assessment centres, travel and)</td>
<td>$188,542</td>
</tr>
</tbody>
</table>

**QUESTIONS ON NOTICE**
<table>
<thead>
<tr>
<th>Group/ Service</th>
<th>Communications Program – 1 January to 30 June 2011</th>
<th>Total Spend ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney University Student Engagement Program</td>
<td>$8 000</td>
<td></td>
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<tr>
<td>Information Technology Security Advisor Workshops</td>
<td>$7 133</td>
<td></td>
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<tr>
<td>Communications Strategy Program</td>
<td>$82 000</td>
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<tr>
<td>Office of the Secretary and Chief of Defence Force Group</td>
<td>Defence Export Control Office (DECO) Practitioner's Workshop in Melbourne - informing industry, government agencies and the public of the requirement to comply with export control laws Australia-US Defence Trade Cooperation Treaty (DTCT) Stakeholder Consultation Program including Bilateral Treaty Outreach Exchange at the Society of International Affairs conference in the United States Participation at trade shows and conferences such as the Avalon Air Show and the Defence and Industry Conference - DECO exhibited at various trade shows and actively approached various stalls to discuss export controls. Production of a range of publications, including the DECO General Information Flyer, the DECO Information Kit and DECO promotional items DECO advertisements in industry publications, such as the Australian Defence Magazine and the Australian and New Zealand Industry Defence Equipment and Capability Catalogue</td>
<td>$1 045</td>
</tr>
<tr>
<td>People Strategies and Policy Group</td>
<td>Navy brand and job specific advertising for Navy Officer and General Entry priority roles</td>
<td>$5 632 011</td>
</tr>
<tr>
<td>Army brand and job specific advertising for Army Officer and General Entry priority roles</td>
<td>$5 575 180</td>
<td></td>
</tr>
<tr>
<td>Air Force brand and job specific advertising for Air Force Officer and General Entry priority roles</td>
<td>$5 574 998</td>
<td></td>
</tr>
<tr>
<td>Advertising ADF Gap Year, ADFA Sponsored Undergraduate positions and Professional Graduate Health and Engineering positions</td>
<td>$1 182 233</td>
<td></td>
</tr>
<tr>
<td>Promotion of the AFL Army Award at the national and local levels</td>
<td>$438 678</td>
<td></td>
</tr>
<tr>
<td>Chief Information Officer Group</td>
<td>The Chief Information Officer Group participated in the 2011 Defence &amp; Industry Conference and Trade Exhibition.</td>
<td>$45 000</td>
</tr>
</tbody>
</table>
Senator Johnston asked the Minister representing the Minister for Defence, Minister representing the Minister for Defence Science and Personnel and Minister representing the Minister for Defence Materiel, upon notice, on 5 July 2011:

(1) For the period 1 January to 30 June 2011: (a) what was the hospitality spend for each agency within the responsibility of the Minister/Parliamentary Secretary; and (b) for each hospitality event, can the following details be provided: (i) the date, (ii) the location, (iii) the purpose, (iv) the cost and (v) the number of attendees.

(2) For the period 1 January to 30 June 2011, can details be provided of the total hospitality spend for the office of the Minister/Parliamentary Secretary.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) (a) The Department of Defence's total expenditure on Hospitality (excluding the Minister's Office) with separate analysis of Representational Allowances, for the period 1 January to 30 June 2011, is shown in Table 1.

Official Hospitality is the provision of hospitality to persons other than Defence personnel who are able to assist Defence in achieving its corporate objectives through advice, vocational or business interests or attendance at official ceremonies or functions.

Representational funds assist Australian Defence Organisation (ADO) members posted on long-term duty overseas to meet the costs of officially entertaining host-country nationals.

(b) Details of each event are provided at Table 2. This table includes the number of attendees at each Hospitality event. Attendee details for events paid from Representational Allowances are not currently maintained. Current initiatives to enable presentation of these details will result in these details being available for future disclosure.

(2) Details of Hospitality expenditure for the offices of the Minister/Parliamentary Secretary's, for the period 1 January to 30 June 2011, are provided at Table 3.

Attachments:

Attachment A. Table 1: Summary of Hospitality and Representational Allowance Expenditure for the Period 1 January 2011 to 30 June 2011.

Attachment B. Table 2: Event Level Detail for Defence, the Defence Materiel Organisation and the Defence Housing Authority.
Senator Johnston asked the Minister representing the Minister for Defence, the Minister for Defence Science and Personnel and the Minister for Defence Materiel, upon notice, on 5 July 201:

For the period 1 January to 30 June 2011:

(1) (a) Did the Minister/Parliamentary Secretary travel overseas on official business; if so: (i) to what destination, (ii) for what duration, and (iii) for what purpose; and (b) what was the total cost of: (i) travel, (ii) accommodation, and (iii) any other expenses.

(2) (a) Which departmental and uniformed personnel accompanied the Minister/Parliamentary Secretary on each trip; and (b) for those personnel, what was the total cost of: (i) travel, (ii) accommodation, and (iii) any other expenses.

(3) (a) Apart from ministerial staff and uniformed and civilian departmental personnel, who else accompanied the Minister/Parliamentary Secretary on each trip; and (b) for each of these people, what was the total cost of:

(i) travel, (ii) accommodation, and (iii) any other expenses.

Senator Chris Evans:

The Minister for Defence has provided the following answer to the honourable senator's question:

(1) (a) (i), (ii) and (iii) Yes, Ministers Smith, Snowdon and Parliamentary Secretary Feeney travelled overseas during this period. Minister Clare did not travel during this period. Full details are provided in the attached table.

(2) (b) (i), (ii) and (ii) All costs of official overseas travel by Ministers, Parliamentary Secretaries and advisers are paid for by the Department of Finance and Deregulation. Dates, destinations, the purpose and costs of all official overseas travel are tabled in the Parliament every six months in a report titled Parliamentarians' Travel paid by the Department of Finance and Deregulation and its supporting information. These reports are now also published to the Finance web site. When available, expenditure for these visits will be provided to Defence by the Department of Finance and Deregulation via regular reporting.

Where travel was undertaken via special purpose aircraft (SPA) the Schedule of Special Purpose flights for 1 January to 30 June 2011 will be tabled in December 2011.

(1) (b) (iii) Some Ministerial expenses are a direct portfolio cost to Defence and those costs are included under item 1(b)(ii) with any ministerial incidentals.

(2) Please refer to the attached table.

(3) (i), (ii) and (iii) Costs for additional persons accompanying the Ministers and Parliamentary Secretaries are stated where known. Costs and details for ministerial advisers are reflected in this column, as are details of non-defence delegates or media that were invited to join the delegation. Mr Snowdon's spouse accompanied the Minister overseas in April 2011 to Europe and Turkey (a Defence visit to Europe and Veterans' Affairs portfolio visit to Turkey). Mr Smith's spouse accompanied the Minister overseas in June 2011 to Europe (Holland and Belgium).
<table>
<thead>
<tr>
<th>Minister/ Parliamentary Secretary</th>
<th>Travel undertaken</th>
<th>Ministerial costs</th>
<th>Defence delegation</th>
<th>Defence personnel costs</th>
<th>Advisers and others accompanying</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minister for Defence, Mr Smith</strong></td>
<td>New Zealand from 9 to 10 February 2011.</td>
<td>(i) Flights were via Special Purpose Aircraft. (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
<td>1. Secretary 2. Head Military Strategic Commitments 3. First Assistant Secretary, International Policy Division. 4. Aide de Camp to the Minister for Defence. 5. Director, New Zealand Section, International Policy Division.</td>
<td>(i) $5,625.47 (ii) $3,578.95 (iii) $1,096.07</td>
<td>Two advisers accompanied the Minister.</td>
<td>(i) Flights were via Special Purpose Aircraft. (ii) (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td></td>
<td>United Kingdom and Belgium from 8 to 12 March 2011.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation. (iii) Defence portfolio costs $3352.65</td>
<td>1. Secretary 2. Vice Chief of the Defence Force. 3. Aide de Camp to the Minister for Defence. 4. Aide de Camp to the Vice Chief of the Defence Force. 5. Signaller.</td>
<td>(i) $99,782.31 (ii) $5,992.90 (iii) $3663.57</td>
<td>One adviser accompanied the Minister.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td>Minister/Parliamentary Secretary</td>
<td>Travel undertaken Destination, duration and purpose</td>
<td>Ministerial costs</td>
<td>Defence delegation</td>
<td>Defence personnel costs</td>
<td>Advisers and others accompanying</td>
<td>Costs</td>
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</tr>
<tr>
<td>Minister for Defence, Mr Smith</td>
<td>East Timor on 15 April 2011. The Minister visited East Timor to meet with his counterpart, government officials and Australian Defence Force personnel. The Minister was accompanied by one adviser and three defence personnel.</td>
<td>(i) Flights were via Special Purpose Aircraft (ii) &amp; (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
<td>1. Deputy Commander Headquarters Joint Operations Command. 2. First Assistant Secretary, International Policy Division. 3. Aide de Camp to the Minister for Defence.</td>
<td>(i) $3,494.62 (ii) $237.51 (iii) $344.41</td>
<td>One adviser accompanied the Minister.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td>Minister for Defence, Mr Smith</td>
<td>Afghanistan from 23 to 27 April 2011. The Minister visited Afghanistan for calls on his counterpart, to meet officials in Kabul and to visit troops for ANZAC Day. The Minister was accompanied by two advisers and seven defence personnel to Afghanistan.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
<td>1. Chief of the Defence Force. 2. Staff Officer to the Chief of the Defence Force. 3. Principal Adviser Afghanistan Pakistan, International Policy Division. 4. Director, Military Strategic Commitment s. 5. Aide de Camp to the Minister for Defence. 6. Aide de Camp to the Chief of the Defence Force. 7. Signaller.</td>
<td>(i) $69,158.57 (ii) $939.35 (being reviewed, an increase of ~$375.74 is expected) (iii) $2,119.91</td>
<td>Two advisers accompanied the Minister. Three media accompanied Mr Smith on this visit, costs for media are not known.</td>
<td>(i), (ii), (iii) These costs are yet to be acquitted by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td>Minister for Defence, Singapore, Holland and Belgium from 3</td>
<td>(i), (ii), (iii) These costs are yet to be</td>
<td>(i), (ii), (iii) These costs are in the process</td>
<td>The following advisers accompanied</td>
<td>(i), (ii), (iii) These costs are yet to be</td>
<td></td>
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<tr>
<td>Minister/Parliamentary Secretary</td>
<td>Travel undertaken</td>
<td>Ministerial costs</td>
<td>Defence delegation</td>
<td>Defence personnel costs</td>
<td>Advisers and others accompanying</td>
<td>Costs</td>
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<tr>
<td>Mr Smith</td>
<td>Singapore</td>
<td>to 9 June 2011.</td>
<td>reported by the Department of Finance and Deregulation.</td>
<td>of the Defence Force.</td>
<td>of being finalised by Defence.</td>
<td>the Minister:</td>
</tr>
<tr>
<td></td>
<td>attend the 10th International Institute for Strategic Studies Asia Security Summit, the Shangri-la Dialogue.</td>
<td></td>
<td></td>
<td>3. Principal Adviser Afghanistan Pakistan, International Policy Division.</td>
<td></td>
<td>Singapore: Two advisers.</td>
</tr>
<tr>
<td></td>
<td>The Minister was accompanied by two ministerial advisers and eight defence personnel, Holland to visit government officials.</td>
<td></td>
<td></td>
<td>4. Director General South East Asia, International Policy Division.</td>
<td></td>
<td>Holland: One adviser.</td>
</tr>
<tr>
<td></td>
<td>Mr Smith was accompanied by one ministerial adviser, one defence member and his spouse; and Belgium to attend the NATO/ISAF Defence Ministers' Meeting in Brussels, the second of three meetings for 2011.</td>
<td></td>
<td></td>
<td>5. Staff Officer to the Chief of the Defence Force.</td>
<td></td>
<td>Belgium: Two advisers.</td>
</tr>
<tr>
<td></td>
<td>The Minister was accompanied by two ministerial advisers, five defence personnel and his spouse.</td>
<td></td>
<td></td>
<td>6. Aide de Camp to the Minister for Defence.</td>
<td></td>
<td>Mr Smith was accompanied by his spouse to Holland and Belgium.</td>
</tr>
</tbody>
</table>

Holland:

1. Aide de Camp to the Minister for Defence.
2. Vice Chief of the Defence Force.
3. Aide de Camp to the Minister for Defence.
4. Aide de Camp to the Vice Chief of the Defence Force.

Belgium:

1. Aide de Camp to the Minister for Defence.
2. Secretary.
3. Aide de Camp to the Minister for Defence.
4. Aide de Camp to the Vice Chief of the Defence Force.
5. Staff Officer to the Chief of the Defence Force.
6. Aide de Camp to the Minister for Defence.
7. Aide de Camp to the Vice Chief of the Defence Force.
8. Signaler.

Reported by the Department of Finance and Deregulation.
### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>Minister/Parliamentary Secretary</th>
<th>Travel undertaken</th>
<th>Ministerial costs</th>
<th>Defence delegation</th>
<th>Defence personnel costs</th>
<th>Advisers and others accompanying</th>
<th>Costs</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Destination, duration and purpose</td>
<td>(i) Travel (ii) Accommodation (iii) Other</td>
<td>(i) Travel (ii) Accommodation (iii) Other</td>
<td>(i) Travel (ii) Accommodation (iii) Other</td>
<td>One adviser accompanied the Minister.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td><strong>Minister for Defence Science and Personnel, Mr Snowdon</strong></td>
<td>Afghanistan, Bahrain and United Arab Emirates from 21 to 27 January 2011. In Afghanistan Mr Snowdon met key Afghan and coalition partners, troops and civilian personnel. In Bahrain a visit to HMAS Stuart was conducted and in the UAE Mr Snowdon attended the Australia Day Reception in Abu Dhabi. Mr Snowdon was accompanied by one adviser and three defence personnel. Head Military Strategic Commitments joined Mr Snowdon whilst en route to a NATO Meeting in Europe, costs were minimal and are not included.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
<td>5. Signaller. 1. Aide de Camp to the Minister for Defence Science and Personnel. 2. Director Afghanistan Operational Policy Support, International Policy Division. 3. Head Military Strategic Commitment s.</td>
<td>(i) $16,163.77 (ii) $955.20 (iii) $580.91</td>
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<td></td>
<td>The United States of America from 6 to 13 March, Mr Snowdon's visit to the United States covered a number of portfolios. In Washington, Mr Snowdon accompanied the Prime Minister</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
<td>1. Aide de Camp to the Minister for Defence Science and Personnel.</td>
<td>(i) $10,767.68 (ii) $1,165.98 (iii) $891.78</td>
<td>One adviser accompanied the Minister.</td>
<td>(i), (ii), (iii) These costs are yet to be reported by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td>Minister/ Parliamentary Secretary</td>
<td>Travel undertaken</td>
<td>Ministerial costs</td>
<td>Defence delegation</td>
<td>Defence personnel costs</td>
<td>Advisers and others accompanying</td>
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<td></td>
<td>Destination, duration and purpose</td>
<td>(i) Travel</td>
<td>(ii) Accomm.</td>
<td>(iii) Other</td>
<td>(i) Travel</td>
<td>(ii) Accomm.</td>
</tr>
<tr>
<td></td>
<td>to announce the Australian contribution to the Vietnam Veterans' Education Centre. Also in Washington and in New York Mr Snowdon visited counterparts and government officials relating to his Veterans' Affairs and Defence Science and Technology portfolio, and non-government organisations relating to his Indigenous Health portfolio. Mr Snowdon was accompanied by one adviser, and one member of defence.</td>
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<td>France from 18 to 20 April 2011 for the reinterment of FLTLT Henry 'Lacy' Smith and calls on government officials in France.</td>
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<td>Mr Snowdon visited Turkey for ANZAC Day Commemoration s, in his role as Minister for</td>
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<td>Mr Snowdon visited France and Turkey (Veterans' Affairs) from 17 to 28 April 2011.</td>
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<tr>
<td></td>
<td>1. Aide de Camp to the Minister for Defence Science and Personnel.</td>
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<td></td>
<td>These costs are yet to be reported by the Department of Finance and Deregulation.</td>
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<tr>
<td></td>
<td>One adviser accompanied the Minister.</td>
<td></td>
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<td></td>
<td>Mr Snowdon's spouse accompanied for the full journey.</td>
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<td></td>
<td>Mr Ian Campbell, Secretary of Veterans' Affairs accompanied the Minister on the full journey. Costs for Mr Campbell are not known.</td>
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</table>
Defence

(Question No. 781)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

(1) With reference to the Government commissioned report, 2008 Audit of the Defence Budget which identified that 'a real growth rate of 3.5% in capital expenditure on SME [Specialised Military Equipment] is required' just to replace today's equipment. To deliver the capabilities proposed in the recommended Force Structure Option requires a growth rate of 4.2%: As at 30 June 2011, what will be the amount required to fund, in nominal dollars, the major capital equipment program each year from 2010-11 to 2029-30, so as to fund the White Paper 'Force 2030' initiatives.
(2) With reference to the report, The Cost of Defence: ASPI Defence Budget Brief 2010-11 which states, ‘on the basis of long-term trends in defence costs, it is unlikely that the promised 2.2% real growth post 2017-18 will be adequate to sustain let alone expand the ADF [Australian Defence Force] as planned. In other words, the plan was probably not affordable to begin with’. Based on this analysis, as at 30 June 2011, how will the Government fund its Defence White Paper commitments, by year until 2030, when funding drops to 2.2 per cent real growth per annum, below that that needed to sustain the ADF.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) The amount required to fund the major capital equipment program each year from 2010-11 to 2029-30 to deliver the White Paper 'Force 2030' has been previously provided as outlined below:

(a) at the Senate Estimates hearing on Wednesday 3 June 2009, it was stated that the estimated overall cost of buying the capabilities outlined in the White Paper will be between $245-$275 billion out to 2030; and

(b) As at 15 February 2011, Defence revised the cost to $210-$240 billion. This reduction was due to the appreciation of the Australian dollar against the US dollar since that time.

However, since February, the Australian dollar has marginally depreciated against the US dollar and the revised estimate of the amount required to fund the major capital equipment program each year from 2010-11 to 2029-30 to deliver the White Paper 'Force 2030 is between $211-$241 billion.

(2) In the 2009-10 budget, the Government provided Defence with additional funding of $146.1 billion to fund the White Paper over the 21 years to 2029-30 as a result of changing the funding model for Defence. The 2.2 per cent real growth funding beyond 2017-18 is consistent with the inherent long-term cost of Defence, a point highlighted in the 2008 Defence Budget Audit.
Under Whole-of-Australian-Government arrangements established through the Department of Finance and Deregulation on 1 July 2010, all international airlines were required to have Frequent Flyer Points/Loyalty Reward Points schemes turned off and to provide pricing on this basis. Accordingly, Defence is not able to identify what savings, if any, can be attributed to such an arrangement. Additionally, prior to WoAG arrangements, Defence's previous contract with Qantas for the provision of travel services stipulated that Frequent Flyer Points were not to be awarded to Defence travellers.

Defence

(Question No. 908)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 15 August 2011:

What savings, to date, have been achieved by the department in transferring to the arrangements in booking flights on domestic services where Frequent Flyer points are no longer credited to individuals.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

1) Under Whole-of-Australian-Government (WoAG) arrangements established through the Department of Finance and Deregulation on 1 July 2010, all domestic airlines were required to have Frequent Flyer Points/Loyalty Reward Points schemes turned off and to provide pricing on this basis. Accordingly, Defence is not able to identify what savings, if any, can be attributed to such an arrangement. Additionally, prior to WoAG arrangements, Defence's previous contract with Qantas for the provision of travel services stipulated that Frequent Flyer Points were not to be awarded to Defence travellers.

Sustainability, Environment, Water, Population and Communities

(Question No. 909)

Senator Abetz asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 16 August 2011:

With reference to the answer to Question no. 2 taken on notice during the 2011-12 Budget Estimates of the Environment and Communications Legislation Committee:

(1) From what date were fox scats stored at minus 80 degrees centigrade for at least 48 hours.

(2) Given that Dr Zammit indicated that he would have to check records around conversations dealing with the issues of disease and hydatids, on what date or dates were these discussions held and were they held prior to the importation of fox scats, or the commencement of the importation of fox scats to Tasmania.

(3) What has been the total weight of fox scats imported from November 2007 to May 2008.

(4) Were any fox scats imported into Tasmania without the treatment of being stored at minus 80 degrees centigrade for at least 48 hours; if so, where appropriate, state by weight of by number of scats, the amount that was imported.

Senator Conroy: The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

1) The process of freezing scats at minus 80 degrees centigrade commenced in February 2010.

2) This issue was subject to a number of general discussions within the state department. Particular conversations or communication occurred in October and November 2007 and August and November 2009.

3) The total weight of imported fox scats between November 2007 and May 2008 was 945 grams.
(4) The process of freezing scats commenced in February 2010, since this time scats have been stored at minus 80 degrees centigrade for at least 48 hours.

Commonwealth Scientific and Industrial Research Organisation
(Question No. 916)

Senator Joyce asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities (transferred to the Minister for Innovation, Industry, Science and Research, upon notice, on 17 August 2011:

In regard to the Commonwealth Scientific and Industrial Research Organisation, can details be provided of its expenditure made under the Water for a Healthy Country Flagship program, both departmental and administered funding, for each year of the forward estimates.

Senator Carr: The answer to the honourable senator's question is as follows:

Estimated expenditures of both departmental and administered funding for the Water for a Healthy Country Flagship program are:

2012-13, $52.7 million
2013-14, $53.7 million
2014-15, $54.6 million

Australian Securities and Investments Commission
(Question No. 986)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

(1) What was the total expenditure of the Australian Securities and Investments Commission for the 2010-11 financial year in relation to:

(a) advertising;
(b) air travel within Australia in business class;
(c) air travel within Australia in economy class;
(d) air travel within Australia by charter flight;
(e) air travel outside Australia in first class;
(f) air travel outside Australia in business class;
(g) air travel outside Australia in economy class;
(h) air travel outside Australia by charter flight;
(i) hospitality and entertainment;
(j) information and communications technology (ICT) costs generally;
(k) ICT costs to external providers;
(l) external consultants generally;
(m) external accounting services;
(n) external auditing services;
(o) external legal services; and
(p) memberships or grants paid to affiliate organisations.

(2) In relation to each of the items referred to in question 1, what is the budgeted total expenditure for the 2011-12 financial year.

________________________________________________________________________

QUESTIONS ON NOTICE
Senator Wong: The Treasurer has provided the following answer to the honourable senator’s question:

ASIC’s actual expenditure for 2010-11 and budgeted expenditure for 2011-12 in respect of each of the items listed above is set out in the table below.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>2010-11 Actual Expenditure</th>
<th>2011-12 Budgeted Expenditure</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Advertising</td>
<td>$427,225</td>
<td>$350,000</td>
<td></td>
</tr>
<tr>
<td>(b) - (c) Air travel within Australia</td>
<td>$1,710,717</td>
<td>$2,310,752</td>
<td>ASIC does not track expenditure or allocate a specific budget against classes of flights; however, the travel policy outlines that all staff must travel Economy class for domestic travel with the exception of: Commission who are entitled to fly business class; and SELs who are entitled to fly business class on flights where the duration is greater than 2 hours.</td>
</tr>
<tr>
<td>(d) Air travel within Australia by charter flight</td>
<td>Nil</td>
<td>Nil</td>
<td>There were no charter flights during 2010-11 and none expected for 2011-12.</td>
</tr>
<tr>
<td>(e) - (g) Air travel outside Australia</td>
<td>$338,146</td>
<td>$367,810</td>
<td>ASIC does not track expenditure or allocate a specific budget against classes of flights; however, the staff are entitled to travel business class for international travel, with the exception of Commission members who are entitled to fly first class. Note: While Commissioners are entitled to first class travel via the Remuneration Tribunal Award, they are no longer flying first class except in exceptional circumstances and on medical advice.</td>
</tr>
<tr>
<td>(h) Air travel outside Australia by charter flight</td>
<td>Nil</td>
<td>Nil</td>
<td>There were no charter flights during 2010-11 and none expected for 2011-12.</td>
</tr>
<tr>
<td>(i) Hospitality and entertainment</td>
<td>$149,753</td>
<td>$128,052</td>
<td></td>
</tr>
</tbody>
</table>
(1) 2010-11 Actual Expenditure  (2) 2011-12 Budgeted Expenditure  Comments

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>2010-11</th>
<th>2011-12</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(j)</td>
<td>Information and communications technology (ICT) costs generally</td>
<td>$43,200,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(k)</td>
<td>ICT costs to external providers</td>
<td>$23,100,000</td>
<td>$26,748,000</td>
<td></td>
</tr>
<tr>
<td>(l)</td>
<td>External consultants generally</td>
<td>$7,320,000</td>
<td>$10,289,674</td>
<td></td>
</tr>
<tr>
<td>(m)</td>
<td>External accounting services</td>
<td>Nil</td>
<td>Nil</td>
<td>External accounting services are considered services relating to the outsourced provision of our accounting functions. Therefore, accounting services for our regulatory function are not included.</td>
</tr>
<tr>
<td>(n)</td>
<td>External auditing services</td>
<td>Nil</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>(o)</td>
<td>External legal services</td>
<td>$20,257,000</td>
<td>$26,000,000</td>
<td>ASIC’s external auditor is the ANAO</td>
</tr>
<tr>
<td>(p)</td>
<td>Memberships or grants paid to affiliate organisations</td>
<td>$351,386</td>
<td>$350,000</td>
<td>Staff memberships such as practising certificates and CPA and CA renewals.</td>
</tr>
</tbody>
</table>

Office of the Productivity Commission  
(Question No. 993)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

(1) What was the total expenditure of the Office of the Productivity Commission for the 2010-11 financial year in relation to:
   (a) advertising;
   (b) air travel within Australia in business class;
   (c) air travel within Australia in economy class;
   (d) air travel within Australia by charter flight;
   (e) air travel outside Australia in first class;
   (f) air travel outside Australia in business class;
   (g) air travel outside Australia in economy class;
   (h) air travel outside Australia by charter flight;
   (i) hospitality and entertainment;
   (j) information and communications technology (ICT) costs generally;
   (k) ICT costs to external providers;
   (l) external consultants generally;
   (m) external accounting services;
(n) external auditing services;
(o) external legal services; and
(p) memberships or grants paid to affiliate organisations.

(2) In relation to each of the items referred to in question 1, what is the budgeted total expenditure for the 2011-12 financial year.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

1. —
   
   | (a) advertising;      | $160,550 excluding GST |
   | (b) air travel within Australia in business class; | $395,587 excluding GST |
   | (c) air travel within Australia in economy class; | $267,805 excluding GST |
   | (d) air travel within Australia by charter flight; | Nil |
   | (e) air travel outside Australia in first class; | Nil |
   | (f) air travel outside Australia in business class; | $91,641 excluding GST |
   | (g) air travel outside Australia in economy class; | Nil |
   | (h) air travel outside Australia by charter flight; | Nil |
   | (i) hospitality and entertainment; | $13,746 excluding GST |
   | (j) information and communications technology (ICT) costs generally; | $666,456 excluding GST |
   | (k) ICT costs to external providers; | $4,155 excluding GST |
   | (l) external consultants generally; | $33,190 excluding GST |
   | (m) external accounting services; | Nil |
   | (n) external auditing services; | $19,350 excluding GST |
   | (o) external legal services; and | $56,359 excluding GST |
   | (p) memberships or grants paid to affiliate organisations. | Nil |

(2) In relation to each of the items referred to in question 1, what is the budgeted total expenditure for the 2011-12 financial year.

The Productivity Commission's budget is affected by the timing and nature of work commissioned by Government. Although the Commission is budgeting for a 'break-even' result in 2011-12, it has not allocated budget at the level of these line items.

**Australian Taxation Office: Accommodation**

**Question No. 1007**

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Australian Taxation Office:

(1) What is the actual location, including the full street address, of each premises occupied by the Australian Taxation Office.

(2) In relation to each of the premises referred to in 1, are these premises:

(a) owned by the Commonwealth; or

(b) rented.

(3) What is the actual amount of space in square metres occupied by, or allocated to, the Australian Taxation Office at each of the premises.

(4) What is the actual amount of space in square metres occupied by, or allocated to, the Commonwealth Government at each of the premises.
(5) For each of the premises that are owned by the Commonwealth:
   (a) what was the total purchase price of these premises and what was the purchase date;
   (b) what amount has been allocated as building depreciation from the date of purchase to the current
       date; and
   (c) what is the estimated current market value of these premises and on what basis has this market
       value been calculated or derived.

(6) For each of the premises that are rented, what are the current lease terms including:
   (a) the date the lease was entered into;
   (b) the current expiry date of the lease;
   (c) any further options available under the lease;
   (d) the rental amount payable per square metre on an annual basis; and
   (e) the total rental amount payable for the premises on an annual basis.

(7) When is the next rental review due and on what basis will any new rental be determined.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The ATO has premises across Australia, with sites in all state capital cities. There is a significant presence in metropolitan and key regional centres. Smaller outpost sites are maintained to support the remote taxpaying community.

(1) A full list of ATO occupied premises is attached. See Attachment A (available from the Senate Table Office).

   The ATO also has an agreement in place (Memorandum of Understanding) with the Department of Human Services to provide ATO services to the community from Department of Human Services premises. A list of these premises can be found at Attachment B (available from the Senate Table Office).

   (2) The ATO rents all of the property it occupies and does not own any property.

   (3) The actual amount of space in square metres at each of the ATO premises is included at Attachment A.

   (4) The ATO can only provide information regarding the amount of space occupied by the ATO.

   Where the ATO and other Commonwealth agencies have leases in the same building, the ATO does not have the lease details of other Commonwealth agencies, as each agency enters into separate lease agreements with the lessor.

   Two Commonwealth agencies sub-lease premises from the ATO:

   • 40 Cameron Avenue, Belconnen: Department of Human Services sublease 7,304.6 square metres
   • SAP House, corner Akuna and Bunda Streets: Department of Prime Minister and Cabinet sublease 2,340 square metres

   (5) The ATO does not own any property.

   (6) Current lease terms of each ATO premises are included at Attachment A.

   (7) Rental review dates and determination of any new rental rates are included at Attachment A.

Australian Securities and Investments Commission: Accommodation

(Question No. 1008)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

QUESTIONs ON NOTICE
With reference to the Australian Securities and Investments Commission:

(1) What is the actual location, including the full street address, of each premises occupied by the Australian Securities and Investments Commission.

(2) In relation to each of the premises referred to in 1, are these premises:
   (a) owned by the Commonwealth; or
   (b) rented.

(3) What is the actual amount of space in square metres occupied by, or allocated to, the Australian Securities and Investments Commission at each of the premises.

(4) What is the actual amount of space in square metres occupied by, or allocated to, the Commonwealth Government at each of the premises.

(5) For each of the premises that are owned by the Commonwealth:
   (a) what was the total purchase price of these premises and what was the purchase date;
   (b) what amount has been allocated as building depreciation from the date of purchase to the current date; and
   (c) what is the estimated current market value of these premises and on what basis has this market value been calculated or derived.

(6) For each of the premises that are rented, what are the current lease terms including:
   (a) the date the lease was entered into;
   (b) the current expiry date of the lease;
   (c) any further options available under the lease;
   (d) the rental amount payable per square metre on an annual basis; and
   (e) the total rental amount payable for the premises on an annual basis.

(7) When is the next rental review due and on what basis will any new rental be determined.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) The street address of all premises occupied by ASIC are as follows:
   Level 5
   100 Market Street
   Sydney NSW 2000

   Level 9
   77 Castlereagh Street
   Sydney NSW 2000

   Level 24
   120 Collins Street
   Melbourne VIC 3000

   14 Grey Street
   Traralgon VIC 3844
Unit 17
29-31 Eastern Road
Traralgon Vic 3844

Level 20
Commonwealth Bank Building
240 Queen Street
Brisbane QLD 4000

Level 3
66 St Georges Terrace
Perth WA 6000

Level 8
Paragon Centre
160 St Georges Terrace
Perth WA 6000

Level 8
100 Pirie Street
Adelaide SA 5000

Level 5
15 London Circuit
Canberra ACT 2600

Level 2
Telstra Centre
70 Collins Street
Hobart TAS 7000

Level 7
TIO Centre
24 Mitchell Street
Darwin NT 0800

(2) Each of the above premises are (b) rented.
(3) The actual amount of space occupied by ASIC at each of its premises is listed in the table below:
### QUESTIONS ON NOTICE

(4) The actual amount of space occupied, or allocated to, the Commonwealth Government of which ASIC manages the leases is set out in the table below:

<table>
<thead>
<tr>
<th>City</th>
<th>Address</th>
<th>Square Meters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>100 Market Street</td>
<td>18,475</td>
</tr>
<tr>
<td></td>
<td>77 Castlereagh Street</td>
<td>2,440</td>
</tr>
<tr>
<td>Melbourne</td>
<td>120 Collins Street</td>
<td>9,742</td>
</tr>
<tr>
<td>Traralgon</td>
<td>14 Grey Street</td>
<td>6,940</td>
</tr>
<tr>
<td></td>
<td>29 Eastern Road</td>
<td>189</td>
</tr>
<tr>
<td>Brisbane</td>
<td>240 Queen Street</td>
<td>3,407</td>
</tr>
<tr>
<td>Perth</td>
<td>66 St Georges Terrace</td>
<td>2,314</td>
</tr>
<tr>
<td></td>
<td>160 St Georges Terrace</td>
<td>601</td>
</tr>
<tr>
<td>Adelaide</td>
<td>100 Pirie Street</td>
<td>1,553</td>
</tr>
<tr>
<td>Canberra</td>
<td>15 London Circuit</td>
<td>1,179</td>
</tr>
<tr>
<td>Hobart</td>
<td>70 Collins Street</td>
<td>839</td>
</tr>
<tr>
<td>Darwin</td>
<td>24 Mitchell Street</td>
<td>164</td>
</tr>
</tbody>
</table>

(5) ASIC does not own any of the above premises.

(6) The current lease terms for ASIC's premises are listed below. All amounts are GST exclusive.

<table>
<thead>
<tr>
<th>City</th>
<th>Address</th>
<th>(a) Date lease entered</th>
<th>(b) current expiry date of lease</th>
<th>(c) Further options available</th>
<th>(d) rental amount payable per M2 on an annual basis</th>
<th>(e) Total rental amount payable for the premises on an annual basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>100 Market St</td>
<td>01/04/2010</td>
<td>30/03/2020</td>
<td>2 x 5 years</td>
<td>$700</td>
<td>$12,931,443</td>
</tr>
<tr>
<td></td>
<td>77 Castlereagh St</td>
<td>01/06/2010</td>
<td>31/05/2012</td>
<td>Nil</td>
<td>$597</td>
<td>$1,457,328</td>
</tr>
<tr>
<td>Melbourne</td>
<td>120 Collins St</td>
<td>01/10/2006</td>
<td>31/10/2016</td>
<td>5 years</td>
<td>$444</td>
<td>$4,328,464</td>
</tr>
<tr>
<td>Traralgon</td>
<td>14 Grey St</td>
<td>01/09/2005</td>
<td>31/08/2018</td>
<td>2 x 3 years</td>
<td>$369</td>
<td>$2,563,007</td>
</tr>
<tr>
<td></td>
<td>29 Eastern Rd</td>
<td>01/09/09</td>
<td>31/08/2012</td>
<td>Nil</td>
<td>$90</td>
<td>$16,995</td>
</tr>
<tr>
<td>Brisbane</td>
<td>240 Queen St</td>
<td>01/04/2011</td>
<td>31/03/2021</td>
<td>2 x 5 years</td>
<td>$680</td>
<td>$2,316,516</td>
</tr>
<tr>
<td>Perth</td>
<td>66 St Georges Tce*</td>
<td>01/07/2006</td>
<td>30/06/2012</td>
<td>Nil</td>
<td>$269</td>
<td>$621,829</td>
</tr>
<tr>
<td></td>
<td>160 St Georges Tce</td>
<td>01/05/2008</td>
<td>30/04/2013</td>
<td>Nil</td>
<td>$577</td>
<td>$346,850</td>
</tr>
<tr>
<td>City</td>
<td>Address</td>
<td>(a) Date</td>
<td>(b) current</td>
<td>(c) Further</td>
<td>(d) Total rental</td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------</td>
<td>---------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>lease entered</td>
<td>expiry date</td>
<td>options available</td>
<td>amount payable per M2 on an annual basis</td>
<td>amount payable for the premises on an annual basis</td>
</tr>
<tr>
<td>Adelaide</td>
<td>100 Pirie St</td>
<td>01/08/2008</td>
<td>31/07/2018</td>
<td>Nil</td>
<td>$364</td>
<td>$565,924</td>
</tr>
<tr>
<td>Canberra</td>
<td>15 London Circuit*</td>
<td>01/04/2007</td>
<td>31/03/2012</td>
<td>Nil</td>
<td>$379</td>
<td>$446,618</td>
</tr>
<tr>
<td>Hobart</td>
<td>70 Collins St</td>
<td>01/12/2009</td>
<td>30/11/2019</td>
<td>2 x 4 years</td>
<td>$252</td>
<td>$211,030</td>
</tr>
<tr>
<td>Darwin</td>
<td>24 Mitchell St</td>
<td>01/01/07</td>
<td>31/12/2016</td>
<td>5 years</td>
<td>$439</td>
<td>$71,932</td>
</tr>
</tbody>
</table>

* Currently finalising lease extension of 3 years
** Currently finalising a new tenancy in Canberra

(7) The next rental review is due in the following locations on the corresponding date:

<table>
<thead>
<tr>
<th>City</th>
<th>Address</th>
<th>Rental Review</th>
<th>Basis for Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>100 Market Street</td>
<td>01/04/2012</td>
<td>4.5%</td>
</tr>
<tr>
<td></td>
<td>77 Castlereagh Street</td>
<td>n/a</td>
<td>Lease ends May 2012 – will not be renewed.</td>
</tr>
<tr>
<td>Melbourne</td>
<td>120 Collins Street</td>
<td>01/11/2011</td>
<td>3.5%</td>
</tr>
<tr>
<td></td>
<td>14 Grey Street</td>
<td>01/09/2011</td>
<td>4%</td>
</tr>
<tr>
<td></td>
<td>29 Eastern Road</td>
<td>31/08/2011</td>
<td>Higher of fixed 3% and CPI</td>
</tr>
<tr>
<td>Brisbane</td>
<td>240 Queen Street</td>
<td>01/04/2011</td>
<td>3.75%</td>
</tr>
<tr>
<td></td>
<td>66 St Georges Terrace</td>
<td>n/a</td>
<td>As noted in (6) above, currently finalising 3 year lease extension.</td>
</tr>
<tr>
<td></td>
<td>160 St Georges Terrace</td>
<td>n/a</td>
<td>As noted in (6) above, currently finalising a new tenancy in preparation for the end of lease in March 2012.</td>
</tr>
<tr>
<td>Adelaide</td>
<td>100 Pirie Street</td>
<td>01/05/2012</td>
<td>Review to market</td>
</tr>
<tr>
<td></td>
<td>15 London Circuit</td>
<td>01/08/2012</td>
<td>4%</td>
</tr>
<tr>
<td></td>
<td>70 Collins Street</td>
<td>01/12/2011</td>
<td>Increased by the greater of 3% and CPI</td>
</tr>
<tr>
<td>Darwin</td>
<td>24 Mitchell Street</td>
<td>01/01/2013</td>
<td>Review to market</td>
</tr>
</tbody>
</table>

**Broadband, Communications and the Digital Economy**

*(Question No. 1027)*

**Senator Abetz** asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 29 August 2011:

With reference to the answer to question no. 321 taken on notice during the 2011-12 Budget estimates hearings of the Environment and Communications Legislation Committee in May 2011, does the term 'security checks' mean 'appropriate security clearances'.
**Senator Conroy:** The answer to the honourable senator's question is as follows:

The requirements for the appointment of directors to the NBN Co board are as set out by the Corporations Act (2001); Commonwealth Authorities and Companies Act (1997); Governance Arrangements for Commonwealth Government Business Enterprises (June 1997); Department of the Prime Minister and Cabinet guidelines for significant government appointments; and the NBN Co Company Constitution. NBN Co Board members are subject to a range of security checks appropriate for a non-executive director appointment. This does not require the obtaining of a security clearance that Australian Government employees are required to obtain.